



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 8] नई दिल्ली, शनिवार, फरवरी 21, 1998/ फाल्गुन 2, 1919
No. 8] NEW DELHI, SATURDAY, FEBRUARY 21, 1998/PHALGUNA 2, 1919

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

केन्द्रीय उत्पाद एवं सीमा शुल्क आयुक्त का कार्यालय
अधिसूचना संख्या : 04/1997
नागपुर, 26 नवम्बर, 1997

का. आ. 374:—श्री यू. एल. कुल्लरवार, अधीक्षक
केन्द्रीय उत्पाद एवं सीमा शुल्क आयुक्तालय, नागपुर निवर्तन
की आयु प्राप्त करने पर दिनांक 31 अक्तूबर, 1997
को अपराह्न में शासकीय सेवा से निवृत्त हुए हैं।

[फ. सं. II (7)/4/97/स्था. I]

शशि मित्र, उप आयुक्त (कार्मिक एवं सतर्कता)

OFFICE OF THE COMMISSIONER OF
CUSTOMS AND CENTRAL EXCISE
NOTIFICATION NO. 04/1997

Nagpur, the 26th November, 1997

S.O. 374.—Shri U. L. Kullarwar Super-
intendent, Central Excise and Customs,
Nagpur Commissionerate having attained the

age of superannuation retired from Govern-
ment service in the afternoon 31st October,
1997.

[C. No. II(7)4/97/Estt.I]
SHASHI MINZ, Dy. Commissioner (P&V)

केन्द्रीय उत्पाद शुल्क, आयुक्त का कार्यालय

सं. 1/98—सीमा शुल्क (एन. टी.)

मदुरै, 29 जनवरी, 1998

का. आ. 375 :—सीमा शुल्क अधिनियम, 1962 की
धारा 9 जो भारत सरकार, वित्त मंत्रालय, राजस्व विभाग,
नई दिल्ली के अधिसूचना सं. 33/94—सीमा शुल्क (एन.
टी.) दिनांक 1-7-94 के साथ पठित, द्वारा प्रदत्त शक्तियों
का प्रयोग करने हुए मैं एतद्वारा तमिलनाडु के तिरुनेलवेली
जिला, राधापुरम तालुका के “कुट्टम गांव” को सीमा
शुल्क अधिनियम, 1962 (1962 का 52) के अधीन
शत प्रतिशत निर्यातान्मुख उपक्रम स्थापित करने हेतु
भांडागार घोषित करता हूँ।

[फाईल JV/16/221/97— टी. 1]

टी. आर. राधाकृष्णन. आयुक्त

OFFICE OF THE COMMISSIONER OF
CENTRAL EXCISE

No. 1/98-CUSTOMS(NT)

Madurai, the 29th January, 1998

S.O. 375.—In exercise of the powers conferred on me under Section 9 of the Customs Act, 1962 (52 of 1962) read with Notification No. 33/94-Customs (NT) dated 1-7-1994 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare "KUTTAM Village", Aadhapuram Taluk, Tirunelveli District in the State of Tamilnadu to be a warehousing station under the Customs Act, 1962 (52 of 1962) for the purpose of setting up of 100 per cent Export Oriented Undertakings.

[File C. No. IV/16/221/97-T.1]

T. R. RADHAKRISHNAN, Commissioner

कार्यालय आयुक्त, केन्द्रीय उत्पाद एवं सीमा शुल्क

जयपुर, 2 जनवरी, 1998

सीमा शुल्क

का.आ. 376 :—सीमा शुल्क अधिनियम, 1962 की धारा 152 के खण्ड (प) के तहत भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली की अधिसूचना संख्या 33/94 सीमा शुल्क (एन. टी.) दिनांक प्रथम जुलाई, 1994 के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैं, बी. बी. शर्मा, आयुक्त, केन्द्रीय उत्पाद एवं सीमा शुल्क, जयपुर एतद्वारा शत प्रतिशत ई. ओ. यू. स्थापित करने के उद्देश्य से सीमा शुल्क अधिनियम, 1962 की धारा 9 के अन्तर्गत राजस्थान राज्य के चुरू जिले में स्थित सरदार शहर को भण्डागार स्टेशन (वेयरहाउसिंग स्टेशन) घोषित करता हूँ।

[क्र. सं. 1/सीमा शुल्क (एन. टी.) / 97/
फा. सं. V (16)/सीमा शुल्क/12/97]

बी. बी. शर्मा, आयुक्त

OFFICE OF THE COMMISSIONER OF
CUSTOMS AND CENTRAL EXCISE

Jaipur, the 2nd January, 1998

CUSTOMS

S.O. 376.—In exercise of the powers conferred by Notification No. 33/94 Customs-(NT) dated the 1st July, 1994, by the Government of India, Ministry of Finance, Department of Revenue, New Delhi issued under

clause (a) of Section 152 of Customs Act, 1962, I, B. B. Sharma, Commissioner of Customs & Central Excise, Jaipur-I, hereby declare Sardarshahr in the District of Churu, State of Rajasthan, to be a warehousing station under the Customs Act, 1962 for the purposes of setting up a 100 per cent export oriented unit.

[No. 1/CUE(NT)] F. No. V(16)-
CUS/12/97]

B. B. SHARMA, Commissioner

वित्त मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 2 फरवरी, 1998

स्टाम्प

का.आ. 377:—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मैं, एस. आर. एफ. लिमि., नई दिल्ली को मात्र पिछहनर हजार ६० का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है जो कि उक्त कंपनी द्वारा 6 अक्टूबर, 1997 को जारी किए गये मात्र एक करोड़ ६० के कुल मूल्य के सौ-सौ ६० के 17% अल्पकालिक निजी तौर पर आर्बिट्रेट किए गए अमूर्तित अपरिवर्तनीय ऋण पत्रों पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 4/98-स्टाम्प फा. सं. 15/2/97-वि.क.]

एस. कुमार, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 2nd February, 1998

STAMPS

S.O. 377.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. S.R.F. Limited, New Delhi to pay consolidated stamp duty of rupees seventy five thousand only chargeable on account of the stamp duty on 17% Short Term Privately Placed Unsecured Non-Convertible Debentures of rupees one hundred each aggregating to rupees one crore only issued by the said company on 6th October, 1997.

[No. 4 98-STAMPS-F. No. 15/2/98-ST]

S. KUMAR, Under Secy.

(राजस्व विभाग)

सन्दर्भ इकीनॉमिक इन्टेलीजेंस ब्यूरो

आदेश

नई दिल्ली, 4 फरवरी, 1998

का. आ. 378 :—भारत सरकार के संयुक्त सचिव ने जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा की उपधारा (1) के अधीन आदेश मिसिल सं. 673/42/97—कस्टम-8 दिनांक 28-4-1997 को यह निर्देश जारी किया था कि श्री दुके सिंह चौहान उर्फ ठाकुर, दुकान नं. 7, द्वितीय लेन, 91-91 ऐ. शुक्लाजी स्ट्रीट, कामाथीपुरा, मुम्बई-400008 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, मुम्बई में अभिरक्षा में रखा जाए ताकि उसे भविष्य में विदेशी मुद्रा के संवर्धन के प्रतिकूल किसी रीति से कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपना आपको छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन होने के 7 दिन के भीतर अपने आपको पुलिस आयुक्त/डायरेक्टर जनरल आफ पुलिस, मुम्बई के सम्मुख उपस्थित करे।

[फा. सं. 673/42/97—कस्टम-8]

प्रकाश चन्द्रा, अवर सचिव

DEPARTMENT OF REVENUE

CENTRAL ECONOMIC INTELLIGENCE BUREAU

ORDER

New Delhi, the 4th February, 1998

S.O. 378.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/42/97-Cus. VIII dated 28-4-1997 under the said sub-section directing that (1) Sh. Duke Singh Chauhan Thakur Shop No. 7, 2nd Lane, 91-91-A, Shuklaji Street, Kamathipura, Mumbai-400008 be detained and kept in custody today in the Central Prison, Mumbai with a view to preventing him in future from acting in any manner prejudicial to the augmentation of Foreign Exchange.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, Mumbai within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/42/97-Cus.VIII]

PRAKASH CHANDRA, Under Secy.

आदेश

नई दिल्ली, 4 फरवरी, 1998

का.आ. 379:—भारत सरकार के संयुक्त सचिव ने जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा की उपधारा (1) के अधीन आदेश मिस. सं. 673/43/97-कस्टम-8 दिनांक 28-4-1997 को यह निर्देश जारी किया था कि श्री मनोहर सिंह राजपूत, 309/313, प्रथम मंजिल, अंतिम कमरा, नव निधान भवन, मुम्बई-3 (2) कमरा नं. 2, प्रथम मंजिल, 28 अली उमेर स्ट्रीट, मुम्बई-3 को निरुद्ध कर लिया जाये और केन्द्रीय कारागार, मुम्बई में अभिरक्षा में रखा जाए ताकि उसे भविष्य में विदेशी मुद्रा के संवर्धन के प्रतिकूल किसी रीति से कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने आपको छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन होने के 7 दिन के भीतर अपने आपको पुलिस आयुक्त/डायरेक्टर जनरल आफ पुलिस, मुम्बई के सम्मुख उपस्थित करे।

[फाईल सं. 673/43/97-कस्टम-8]

प्रकाश चन्द्रा, अवर सचिव

ORDER

New Delhi, the 4th February, 1998

S.O. 379.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/43/97-Cus. VIII dated 28-4-1997 under the said sub-section directing that (1) Shri Manohar Singh Rajput 309 313, 1st Floor, East Room, Nav Nidhan Bhavan, Mumbai-400003 (2) Room No. 2, 1st Floor, 28, Ali Umer Street Mumbai-3 be detained and kept in custody in the Central Prison, Mumbai with a view to preventing him in future from acting in any manner prejudicial to the augmentation of Foreign Exchange.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, Mumbai within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/43/97-Cus.VIII]

PRAKASH CHANDRA, Under Secy.

आदेश

नई दिल्ली, 4 फरवरी, 1998

का.आ. 380 :—भारत सरकार के संयुक्त सचिव ने जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन आदेश फा. सं. 673/88/97-सी.शु.-8 दिनांक 18-8-1997 को यह निर्देश जारी किया था कि श्री घन-श्याम कल्याणदास भावसार, 301, तीसरी मंजिल, सागर मैन्शन, भूलाभाई देसाई रोड, मुम्बई-26 (2) मार्फत शारदा ग्रुप आफ कम्पनीस, नं. 3, पांचवीं मंजिल, मरवेट चैम्बरस, 41, न्यू मेरीन लाईन्स, मुम्बई-20 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार मुम्बई में अभिरक्षा में रखा जाए ताकि उसे भविष्य में विदेशी मुद्रा के संरक्षण के प्रतिकूल किसी रीति से कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने आप को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन होने के 7 दिन के भीतर अपने आपको पुलिस आयुक्त/डायरेक्टर जनरल आफ पुलिस, मुम्बई के सम्मुख उपस्थित करे।

[फाईल सं. 673/88/97-कस्टम-8]

प्रकाश चन्द्रा, अवसर सचिव

ORDER

New Delhi, the 4th February, 1998

S.O. 380.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/88/97-Cus-VIII dated 18-8-1997 under the said sub-section directing that (1) Sh. Ghanshyam Kalyandas Bhavsar, 301, 3rd Floor, Sagar Mansion, Bhulabhai Desai Road, Mumbai-400026 (2) C/o Sharda Group of Companies, No. 3, 5th Floor, Merchant Chambers, 41, New Marine Lines, Mumbai-20 be detained and kept in custody in the Central Prison Mumbai with a view to preventing him in future from acting in any manner prejudicial to the Conservation of Foreign Exchange.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, Mumbai within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/88/97-Cus. VIII]

PRAKASH CHANDRA, Under Secy.

नई दिल्ली, 4 फरवरी, 1998

3. Direct Agent Branch. Karampura.

[No. 11013/12/97-H.I.C.]

S. K. VERMA, Under Secy.

आदेश

नई दिल्ली, 4 फरवरी, 1998

का०आ० 381:—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उपनियम (4) के अनुसरण में वित्त मंत्रालय, आर्थिक कार्य विभाग के प्रशासनिक नियंत्रण में स्थित भारतीय साधारण बीमा निगम की अनुषंगी कंपनी, दि न्यू इंडिया एश्योरेंस कंपनी लिमिटेड तथा नेशनल इश्योरेंस कंपनी लिमिटेड के निम्नलिखित कार्यालयों, जिनके 80 प्रतिशत से अधिक कर्मचारीवृद्ध ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है:—

1. कंपनी का नाम: दि न्यू इंडिया एश्योरेंस कंपनी लिमिटेड
 1. मंडल कार्यालय, जयपुर-331200
 2. कालिना प्रत्यक्ष एजेंट शाखा कार्यालय-140401
 3. शाखा कार्यालय, भिवंडी-140704
2. कंपनी का नाम: नेशनल इश्योरेंस कंपनी लिमिटेड
 1. प्रत्यक्ष एजेंट शाखा, पश्चिमी पंजाबी बाग, नई दिल्ली
 2. प्रत्यक्ष एजेंट शाखा, आजादपुर
 3. प्रत्यक्ष एजेंट शाखा, कर्मपुरा

[संख्या 11013/12/97-हि०का०क०]

सुधीर कुमार वर्मा, अवर सचिव

New Delhi, the 4th February, 1998

S.O. 381.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rules, 1976, the Central Government hereby notifies the following offices of the New India Assurance Co. Ltd., and National Insurance Co. Ltd. subsidiary companies of the General Insurance Corporation of India under the administrative control of Ministry of Finance, Department of Economic Affairs whereof more than 80 per cent of staff have acquired working knowledge of Hindi.

I. Name of the Company : The New India Assurance Co. Ltd.,

1. Divisional Office, Jaipur-331200.
2. Kalina Direct Agent Branch Office-140401.
3. Branch Office, Bhiwandi-140704.

II. Name of the Company : National Insurance Co. Ltd.

1. Direct Agent Branch, West Punjabi Bagh, New Delhi.
2. Direct Agent Branch, Azadpur.

का. आ. 382:—भारत सरकार के संयुक्त सचिव ने जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन आदेश फा. सं. 673/89/97—सीमा शुल्क-8 दिनांक 18-8-1997 को यह निर्देश जारी किया था कि श्री हरिकृष्णा कल्याणदास भावसार उर्फ हरीण भावसार उर्फ हरीश भावमार परेश जावेरी उर्फ बाबी सुपुत्र श्री कल्याणदास भावसार, 301, तीसरी मंजिल, सागर मंशन, भुलाभाई देसाई रोड़, मुम्बई-400026 (2) मार्फत शारदा ग्रुप आफ कम्पनीस, नं. 3, 41 मरचेट चैम्बरस, पांचवीं मंजिल, न्यू मेरीन लाईन्स, मुम्बई-400020 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, मुम्बई में अभिरक्षा में रखा जाए ताकि उसे भविष्य में विदेशी मुद्रा के संरक्षण के प्रतिकूल किसी रीति से कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने आपको छिपा रहा है ताकि उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन होने के 7 दिन के भीतर अपने आपको पुलिस आयुक्त/डायरेक्टर जनरल आफ पुलिस, मुम्बई के सम्मुख उपस्थित करे।

[फा. सं. 673/89/97-सी. शु.-8]

प्रकाश खन्ना, अवर सचिव

ORDER

New Delhi, the 4th February, 1998

S.O. 382.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/89/97-Cus-VIII dated 18-8-1997 under the said sub-section directing that (1) Sh. Harikrishana Kalyandas Bhavsar @ Harish Bhavsar Haresh Bhavsar Paresh Zaveri @ Bobby, 301, 3rd Floor, Sagar Mansion, Bhulabhai Desai

Road, Mumbai-400026 (2) C/o Sharda Group of Companies, No. 3, 41 Merchant Chambers, 5th Floor, New Marine Lines, Mumbai-20 be detained and kept in custody in the Central Prison, Mumbai with a view to preventing him in future from acting in any manner prejudicial to the Conservation of Foreign Exchange.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or has been concealing himself so that the order cannot be executed.

3. Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner/Director General of Police, Mumbai within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/89/97-Cus. VIII]
PRAKASH CHANDRA, Under Secy.

आर्थिक कार्य विभाग

(बैंकिंग प्रभाग)

नई दिल्ली, 5 फरवरी, 1998

का. आ. 383 :—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिशों पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10ख की उपधारा (9) के उपबंध सांगली बैंक लिमिटेड पर 4 फरवरी, 1998 से 3 मई, 1998 तक अथवा बैंक के नियमित अध्यक्ष एवं मुख्य कार्यपालक अधिकारी की नियुक्ति होने तक, इनमें से जो भी पहले हो, उस सीमा तक लागू नहीं होंगे, जहां तक बैंक को चार महीने से अधिक के बास्ते अध्यक्ष एवं मुख्य कार्यपालक अधिकारी का काम करने के लिए किसी व्यक्ति की नियुक्ति करने की छूट प्राप्त है।

[सं. 15/3/97-बी ओ ए (ii)]

प्रतिभा मोहर, निदेशक (बी ओ)

DEPARTMENT OF ECONOMIC AFFAIRS
(Banking Division)

New Delhi, the 5th February, 1998

S.O. 383.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on recommendations of the Reserve Bank of India hereby declares that the provisions of sub-section (9) of Section 10B of the said Act, shall not, to the extent they preclude the bank from appointing a person to carry out the duties of the Chairman and Chief Executive Officer beyond a period exceeding four months, apply to the Sangli Bank Ltd., from 4th February, 1998 to 3rd May, 1998 or till the appointment of a regular Chairman and Chief Executive Officer for that bank, whichever is earlier.

[No. 15/3/97-BOA (ii)]

MRS. P. MOHAN, Director (BO)

नई दिल्ली, 5 फरवरी, 1998

का. आ. 384 :—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिशों पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10—ख की उपधारा (1) एवं (2) के उपबंध, सांगली बैंक लिमिटेड पर 4 फरवरी, 1998 से 3 मई, 1998 तक तीन मही की अवधि के लिए या नियमित अध्यक्ष एवं मुख्य कार्यपालक अधिकारी के पदभार ग्रहण करने तक, इनमें से जो भी पहले हो, लागू नहीं होंगे।

[सं. 15/3/97-बी. ओ. ए. (i)]

प्रतिभा मोहन, निदेशक (बी. ओ.)

New Delhi, the 5th February, 1998

S.O. 384.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendations of the Reserve Bank of India hereby declares that the provisions of sub-section (1) and (2) of Section 10B of the said Act, shall not apply to the Sangli Bank Ltd., for a period of three months from 4th February, 1998 to 3rd May, 1998 or till the appointment of a regular Chairman and Chief Executive Officer for that bank whichever is earlier.

[No. 15/3/97-BOA (i)]

MRS. P. MOHAN, Director (BO)

नई दिल्ली, 10 फरवरी, 1998

का. आ. 385 :—संग ऑयोलॉजिक कम्पनी (विशेष उपबंध) अधिनियम, 1985 की धारा 6 की उपधारा (2) के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री एम. एम. दयाल

को 1 फरवरी, 1998 से 30 अप्रैल, 1998 तक को अवधि के लिए औद्योगिक और वित्तीय पुनर्निर्माण श्रेणीय प्राधिकरण के सदस्य के रूप में पुनः नियुक्त करती है।

[सं. 7/11/97-बी. ओ. I]

के.के. मंगल, अवसर सचिव

DEPARTMENT OF ECONOMIC AFFAIRS
(Banking Division)

New Delhi, the 10th February, 1998

S.O. 385.—In pursuance of the powers conferred by sub-section (1) of section 5 read with sub-section (2) of section 6 of the Sick Industrial Companies (Special Provisions) Act, 1985, the Central Government hereby reappoints Shri M. S. Dayal, as Member, Appellate Authority for Industrial and Financial Reconstruction from 1st February, 1998 and upto 30th April, 1998.

[No. 7/11/97-B.O. I.]

K. K. MANGAL, Under Secy.

वाणिज्य मंत्रालय

विदेश व्यापार महानिदेशालय

आदेश

नई दिल्ली, 5 फरवरी, 1998

का.आ. 386.—मैसर्स द साउदर्न टेक्सटाइल लि., राजनारायण टावर्स, 70, रेसकोर्स, कोयम्बटूर-641018 को पूंजीगत माल के आयात हेतु 52,36,464 (डीएम 257700 रु०) (बावन लाख छत्तीस हजार चार सौ चौंसठ रुपये मात्र) का आयात लाइसेंस सं. पी.सी. जी/2134182 दिनांक 4-5-95 जारी किया गया था।

2. फर्म ने इस आधार पर उपर्युक्त लाइसेंस की डुप्लीकेट प्रति जारी करने हेतु आवेदन किया है कि आयात लाइसेंस खो गया है अथवा अस्थानस्थ हो गया है। आगे यह कहा गया है कि आयात लाइसेंस को चेन्नई (सीमा शुल्क भवन) के पास पंजीकृत किया गया था और लाइसेंस की कीमत का पूर्ण उपयोग कर लिया गया है।

3. अपने कथन के समर्थन में, लाइसेंसधारक ने नोटरी पब्लिक, कोयम्बटूर के समक्ष शपथ लेकर स्टैम्प पेपर पर एक शपथपत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि मूल आयात लाइसेंस सं० पी/सी जी/2134182 दिनांक 4-5-95 फर्म द्वारा अस्थानस्थ हो गया है। यथासंशोधित आयात (नियंत्रण) आदेश, 1995, दिनांक 7-12-1995, की उप-धारा 9(सी सी) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स साउदर्न टेक्सटाइल लि., कोयम्बटूर को जारी उक्त मूल आयात लाइसेंस को निरस्त किया जाता है।

4. उक्त लाइसेंस की डुप्लीकेट प्रति पार्टी को अलग से जारी की जा रही है।

[फा० सं० 18/1124/ए.एम./95/ई पी सी जी-3/574]

के० चन्द्रमती, उप महानिदेशक

MINISTRY OF COMMERCE

Office of Directorate General of Foreign Trade

ORDER

New Delhi, the 5th February, 1998

S.O. 386.—M/s. The Southern Textiles Ltd., Rajnarayan Towers, 70 Race Course, Coimbatore-641018 were granted an Import Licence No. P/CG/2134182 dated 4-5-95 for Rs. 52,36,464/- (Rupees Fifty Two lakhs Thirty Six Thousand Four Hundred and Sixty Four only) (DM 2,57,700) for import of capital goods.

2. The firm has applied for issue of duplicate import licence of the above mentioned licence on the ground that the import licence has been lost or misplaced. It has further been stated that the licence was registered with Chennai (Customs House) and the value of the licence has been fully utilised.

3. In support of their contention, the licence has filed an Affidavit on Stamped Paper duly sworn in before a Notary Public, Coimbatore. I am accordingly satisfied that the original import licence No. P/CG/2134182 dated 4-5-95 has been misplaced by the firm. In exercise of the powers conferred under Sub-Clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955, as amended the said original import licence issued to M/s. The Southern Textiles Ltd., Coimbatore is hereby cancelled.

4. A duplicate import licence of the said licence is being issued to the party separately.

[F. No. 18/1124/AM/95/EPCG-III/574]

K. CHANDRAMATHI, Dy. Director General.
of Foreign Trade

आदेश

नई दिल्ली, 6 फरवरी, 1998

का.आ. 387.—मैसर्स सैमसंग इंडिया इलेक्ट्रॉनिक्स लि. 47, रिंग रोड, लाजपत नगर-3, नई दिल्ली-110024 को सैमसंग ब्रांड आडियो सिस्टम माडल सं. 51000 स्लिम आडियो के 1200 तग के आयात हेतु 1,68,72,000/- (एक करोड़ अड़सठ लाख बाहतर हजार रुपये मात्र) का आयात लाइसेंस सं. पी/ए/2449445 दिनांक 12-3-97 जारी किया गया था।

फर्म ने इस आधार पर उपर्युक्त लाइसेंस की डुप्लीकेट विनिमय नियंत्रण प्रति जारी करने हेतु आवेदन किया है कि आयात लाइसेंस खो गया है अथवा अस्थानस्थ हो गया है। आगे यह बताया गया है कि विनिमय नियंत्रण प्रति को सीमाशुल्क प्राधिकारी आदे सी डी/टी के दो, नई दिल्ली के पास पंजीकृत किया गया था और लाइसेंस की कीमत का आंशिक उपयोग कर लिया गया है।

2. अपने कथन के समर्थन में, लाइसेंसधारक ने नोटरी पब्लिक के समक्ष दिनांक 2-1-1998 को शपथ लेकर स्टैम्प पेपर पर एक शपथपत्र दायर किया है। तदनुसार मैं संतुष्ट हूँ कि मूल विनिमय नियंत्रण प्रति सं. पी/ए/2449445 दिनांक 12-3-97 फर्म द्वारा खो गया है अथवा अस्थानस्थ हो गया है। निदेश व्यापार महानिदेशालय, नई दिल्ली द्वारा जारी सांविधिक आदेश सं. 1060(अ) दिनांक 31-12-93 के तहत प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सैमसंग इंडिया इलेक्ट्रॉनिक्स लि., नई दिल्ली को जारी विनिमय नियंत्रण प्रति सं. पी/ए/2449445 को निरस्त किया जाता है।

3. उक्त लाइसेंस की डुप्लीकेट विनिमय नियंत्रण प्रति पार्टी को अलग से जारी की जा रही है।

[फा. सं. एस पी एल/एन. एस. 16/1469/ए. एस. 97/एस. एल. एस./730]

सोहन चन्द, विदेश व्यापार विकास अधिकारी

ORDER

New Delhi, the 6th February, 1998

S.O. 387.—M/s. Samsung India Electronics Ltd., 47, Ring Road, Lajpat Nagar, New Delhi-110024 were granted an import licence No. P/A/2449445 dated 12-3-97 for Rs. 1,68,72,000 (Rs. one crore sixty eight lakh and seventy two thousand only) for import of 1200 Nos. of Samsung Brand Audio System Model No. 51000 Slim Audio.

The firm has applied for issue of duplicate Exchange Control Copy of the above mentioned licence on the ground that the original licence has been lost or misplaced. It has further been stated that the Exchange Control Copy was registered with Custom Authority ICD/TKB, New Delhi and as such the value of licence has been utilised partly.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before the Notary Public on 2-1-98. I am accordingly satisfied that the original Exchange Control Copy No. P/A/2449445 dt. 12-3-97 has been lost or misplaced by the firm. In exercise of the powers conferred on me under orders S.O. 1060(E), dt. 31-12-93 issued by DGFT, New Delhi Exchange Control copy No. P/A/2449445 dt. 12-3-97 issued to M/s. Samsung India Electronics Ltd., New Delhi is hereby cancelled.

3. Duplicate Exchange Control Copy of the said licence is being issued to the party separately.

[P. No. SPL/NS. 16/1469/AM/97/SLS/730]

SOHAN CHAND, Foreign Trade Development Officer

उद्योग मंत्रालय

(भागी उद्योग विभाग)

नई दिल्ली, 19 जनवरी, 1998

का० आ० 388.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में निम्नलिखित कार्या-

लय को, जिसके 80% कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

- (1) रिचर्डसन एण्ड क्रुडस (1972) लिमिटेड
भारत सरकार का उपक्रम,
भारत यंत्र निगम लिमिटेड नियंत्रित
एफ-3, एम०आई०डी०सी० इंडस्ट्रियल एस्टेट
हिंगना मार्ग, नागपुर-440 016

[सं० ई-11012(1)/92-हिन्दी]

पंकज अग्रवाल, उप-सचिव

MINISTRY OF INDUSTRY

(Department of Heavy Industry)

New Delhi, the 19th January, 1998

S.O. 388.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following office whercof 80 % staff have acquired the working acknowledge of Hindi :—

Richardson & Cruddas (1972) Ltd.

(A Govt. of India Undertaking)

A subsidiary of BYNL

F-3, M.I.D.C. Industrial Estate

Hingna Road, Nagpur-440016.

[No. E. 11012(1)/92-Hindi]

PANKAJ AGRAWAL, Dy. Secy.

मानव संसाधन विकास मंत्रालय

(युवा कार्यक्रम और खेल विभाग)

नई दिल्ली, 22 जनवरी, 1998

का.आ. 389.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 (4) के अनुसरण में नेहरू युवा केन्द्र संगठन के निम्नलिखित 5 कार्यालयों को जिनके कर्मचारीबृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

क्र. कार्यालय का नाम राज्य क्षेत्र सं.

1. नेहरू युवा केन्द्र, महाराजगंज उत्तर प्रदेश "क"
2. नेहरू युवा केन्द्र, बहरादख मध्य प्रदेश "क"
3. नेहरू युवा केन्द्र, रीवा उत्तर प्रदेश "क"
4. नेहरू युवा केन्द्र, नागबोई दिल्ली "क"
5. नेहरू युवा केन्द्र, विलासपुर हिमाचल प्रदेश "क"

[मि. संख्या ई. 11011/2/98-हि. ए.]

प्रदीप कुमार सिन्हा, सयुक्त सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Youth Affairs and Sports)

New Delhi, the 22nd January, 1998

S.O. 389.—In pursuance of rule 10(4) of the Official Languages (Use for Official Purposes of the Union) Rule 1976, the Central Government hereby notifies the following 5 offices of Nehru Yuva Kendra Sangthan the Staff whereof have acquired working knowledge of Hindi :—

S. N.	Name of the Office	State/UT	Region
1.	NYK, Maharaiganj	Uttar Pradesh	"A"
2.	NYK, Recwa	Madhya Pradesh	"A"
3.	NYK, Behraich	Uttar Pradesh	"A"
4.	NYK, Nangloi	Delhi	"A"
5.	NYK, Bilaspur	Himachal Pradesh	"A"

[F. No. E-11011/2/98-H.U.]
PRADEEP KUMAR SINHA, Jt. Secy.

खाद्य और उपभोक्ता मामले मंत्रालय
(उपभोक्ता मामले विभाग)

नई दिल्ली, 3 फरवरी, 1998

का.आ. 390.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उप नियम (4) के अनुसरण में खाद्य और उपभोक्ता मामले मंत्रालय, उपभोक्ता मामले विभाग के अधीन भारतीय राष्ट्रीय उपभोक्ता महकारी संघ, नई दिल्ली के लखनऊ और कानपुर स्थित निम्नलिखित शाखा कार्यालयों, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिगृहीत करती है:—

1. भारतीय राष्ट्रीय उपभोक्ता महकारी संघ मर्यादित, शाखा कार्यालय, बी-4, एच रोड, महानगर एक्सटेंशन, लखनऊ-226006
2. भारतीय राष्ट्रीय उपभोक्ता महकारी संघ मर्यादित, शाखा कार्यालय, 10-13, नवीन मार्केट, दूसरा तल, कानपुर-208001

[संख्या ई-11012/6/96-हिन्दी]

राम निरुप पाण्डेय, निदेशक

MINISTRY OF FOOD AND CONSUMER AFFAIRS

(Department of Consumer Affairs)

New Delhi, the 3rd February, 1998

S.O. 390.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use for official purposes of the union) Rule 1976 the Central Government hereby notifies the following two branch offices of National Co-operative Consumer Federation of India, New Delhi viz Lucknow and Kanpur under the Ministry of Food and Consumer Affairs, Deptt. of Consumer Affairs where more than 80 per cent of the staff have acquired working knowledge of Hindi:—

1. National Co-operative Consumer's Federation of India, Branch Office, 84-H Road, Mahanagar Extension, Lucknow-220006.
2. National Co-operative Consumer's Federation of India, Branch Office, 10-13, Naveen Market 2nd Floor, Kanpur-206001.

[No. E-11012/6/96-Hindi]
R. T. PANDEY, Director

नई दिल्ली, 6 फरवरी, 1998

का० आ० 391.—केन्द्रीय सरकार, भारतीय मानक ब्यूरो नियम, 1987 के नियम 3 और नियम 4 के उपनियम (1) के साथ पठित, भारतीय मानक ब्यूरो अधिनियम, 1986 (1986 का 63) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित व्यक्तियों को तत्काल प्रभाव में भारतीय मानक ब्यूरो का सदस्य नियुक्त करती है और उस प्रयोजन के लिए, भारत सरकार के खाद्य और नागरिक पूर्ति मंत्रालय (नागरिक पूर्ति विभाग) की अधि-सूचना सं० का० आ० 278 (अ), तारीख 31 मार्च, 1987 में निम्नलिखित संशोधन करती है, अर्थात्:—

(क) उक्त अधिसूचना में—

- (i) शब्द "नागरिक पूर्ति" के जहां-जहां वे आते हैं, स्थान पर "उपभोक्ता मामले" शब्द रखे जाएंगे।

(ii) क्रम सं० 5 से 129 (जिनमें दोनों सम्मिलित हैं) और उनसे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्यांक और उनसे संबंधित प्रविष्टियां रखी जाएंगी, अर्थात्:

समद सदस्य

5. रिक्त

6. रिक्त

7. रिक्त

8. श्री बनारसी दास, गुप्ता
राज्य सभा सदस्य

सदस्य

9. श्रीमती भारती राय
राज्य सभा सदस्य

सदस्य

केन्द्रीय सरकार के मंत्रालयों तथा विभागों का प्रतिनिधित्व करने वाले व्यक्ति

10. अपर सचिव तथा वित्तीय सलाहकार
खाद्य और उपभोक्ता मामले मंत्रालय

सदस्य

11. संयुक्त सचिव,
औद्योगिक नीति तथा संवर्धन विभाग

सदस्य

12. महानिदेशक,
(सड़क विकास)
जल भूतल परिवहन मंत्रालय

सदस्य

13. संयुक्त सचिव,
कृषि मंत्रालय

सदस्य

14. संयुक्त सचिव
वाणिज्य मंत्रालय

सदस्य

15. संयुक्त सचिव,
ग्रामीण विकास विभाग

सदस्य

16. संयुक्त सचिव
वस्त्र मंत्रालय

सदस्य

17. संयुक्त सचिव
दूर संचार विभाग
संचार मंत्रालय

सदस्य

18. संयुक्त सचिव,
स्वास्थ्य और परिवार कल्याण मंत्रालय

सदस्य

19. संयुक्त सचिव,
जल संसाधन मंत्रालय

सदस्य

20. संयुक्त सचिव,
उर्वरक तथा रसायन मंत्रालय

सदस्य

21. संयुक्त सचिव,
इस्पात विभाग

सदस्य

22. सलाहकार (इंजिनियरी प्रौद्योगिकी) विज्ञान
तथा प्रौद्योगिकी विभाग।

सदस्य

23. संयुक्त सचिव,
विद्युत विभाग

सदस्य

24. विकास प्रायुक्त,
लघु उद्योग

सदस्य

25. संयुक्त सचिव,
अपारंपरिक ऊर्जा स्त्रोत
मंत्रालय

सदस्य

26. संयुक्त सचिव,
वन और पर्यावरण मंत्रालय

सदस्य

27. संयुक्त सचिव,
पेट्रोलियम और प्राकृतिक
गैस मंत्रालय

सदस्य

28. मानकीकरण निदेशक
रक्षा उत्पाद तथा पूर्ति विभाग,
रक्षा मंत्रालय

सदस्य

29. महा निदेशक,
पूर्ति और निपटान

सदस्य

30. महा निदेशक, (संकर्म)
केन्द्रीय लोक निर्माण विभाग,
शहरी मामले तथा रोजगार मंत्रालय

सदस्य

31. महा निदेशक,
मानकीकरण, परीक्षण तथा क्वालिटी
नियंत्रण निदेशालय,
इलेक्ट्रॉनिकल विभाग

सदस्य

32. संयुक्त सचिव,
सूचना और प्रसारण मंत्रालय

सदस्य

33. कार्यकारी निदेशक (विकास)
रेलवे बोर्ड

सदस्य

34. संयुक्त सचिव,
खाद्य प्रसंस्करण उद्योग मंत्रालय

सदस्य

35. अपर सचिव (भारतीय मानक ब्यूरो)
उपभोक्ता मामले विभाग
खाद्य तथा उपभोक्ता मामले मंत्रालय

सदस्य

राज्य सरकारों और संघ राज्य क्षेत्रों के प्रतिनिधि

36. क्वालिटी और मानकों पर प्रशासनिक
नियंत्रण रखने वाले विभाग का भारसाधक
मंत्री, आन्ध्र प्रदेश सरकार

सदस्य

37. क्वालिटी और मानकों पर प्रशासनिक
नियंत्रण रखने वाले विभाग का भारसाधक
मंत्री, असम सरकार

सदस्य

38. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण
रखने वाले विभाग का भारसाधक मंत्री,
बिहार सरकार

सदस्य

- | | | | |
|---|-------|--|-------|
| 39. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, गुजरात सरकार । | सदस्य | 53. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, गोवा सरकार । | सदस्य |
| 40. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, हिमाचल प्रदेश सरकार । | सदस्य | 54. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, मिजोरम सरकार, | सदस्य |
| 41. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, हरियाणा सरकार । | सदस्य | 55. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, अरुणाचल प्रदेश सरकार । | सदस्य |
| 42. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री जम्मू-कश्मीर सरकार । | सदस्य | 56. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, तमिलनाडु सरकार । | सदस्य |
| 43. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, कर्नाटक सरकार । | सदस्य | 57. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, सिक्किम सरकार । | सदस्य |
| 44. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, केरल सरकार | सदस्य | 58. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, त्रिपुरा सरकार । | सदस्य |
| 45. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, मध्य प्रदेश सरकार । | सदस्य | 59. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, उत्तर प्रदेश सरकार । | सदस्य |
| 46. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री मणिपुर सरकार । | सदस्य | 60. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, पश्चिम बंगाल सरकार । | सदस्य |
| 47. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, मेघालय सरकार । | सदस्य | 61. उपराज्यपाल, अण्डमान और निकोबार द्वीप, संघ राज्यक्षेत्र । | सदस्य |
| 48. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, नागालैण्ड सरकार । | सदस्य | 62. प्रशासक, चण्डीगढ़ संघ राज्य क्षेत्र । | सदस्य |
| 49. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री उड़ीसा सरकार । | सदस्य | 63. प्रशासक, दादरा और नागर हवेली संघ राज्य क्षेत्र । | सदस्य |
| 50. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, राजस्थान सरकार । | सदस्य | 64. क्वालिटी और मानकों का भारसाधक मंत्री, राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार । | सदस्य |
| 51. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, पंजाब सरकार । | सदस्य | | |
| 52. क्वालिटी और मानकों पर प्रशासनिक नियंत्रण रखने वाले विभाग का भारसाधक मंत्री, महाराष्ट्र सरकार । | सदस्य | | |

65. प्रशासक, लक्षद्वीप, संघ राज्य क्षेत्र ।	सदस्य	सैटलमेंट्स एण्ड एनवायरमेंटल, भोपाल-462016	
66. प्रशासक, दमण और दीव, संघ राज्य क्षेत्र ।	सदस्य	77. प्रो० मनुभाई शाह, प्रबंध न्यासी कन्ज्यूमर एजुकेशन एण्ड रिसर्च सेण्टर सुरक्षा सनकूल, थासतेज, अहमदाबाद-गांधी नगर राजमार्ग, अहमदाबाद-380054	सदस्य
67. उपराज्यपाल, पांडिचेरी, संघ राज्य क्षेत्र ।	सदस्य		
मान्यता प्राप्त उपभोक्ता संगठनों के प्रतिनिधि			
68. प्रधान, फैडरेशन आफ कन्ज्यूमर एसोसिएशन्स, पश्चिम बंगाल, कलकत्ता ।	सदस्य	कृषकों के हितों का प्रतिनिधित्व करने वाले व्यक्ति	
69. प्रधान, बोलन्टरी आर्गेनाइजेशन इन इनटरेस्ट आफ कन्ज्यूमर एजुकेशन (बी ओ आई सी ई), एफ-71, लाजपत नगर, नई दिल्ली-110 024 ।	सदस्य	78. श्री राणा प्रताप सिंह, बी-9/6268, बसंत कुंज, नई दिल्ली ।	सदस्य
70. अध्यक्ष, फैडरेशन आफ कन्ज्यूमर आर्गेनाइजेशन्स आफ तमिलनाडु (एफ०ई०डी०सी०ओ०टी०), चेन्नई ।	सदस्य	79. श्री रघुपति, ग्राम-सकमपुर, डाकघर-लाबापुर नारायण, वाया महनार, जिला-त्रैशाली ।	सदस्य
71. प्रधान, अजमेर जिला ग्रामीण उपभोक्ता संगठन, मसूदा, राजस्थान ।	सदस्य	उद्योग/लघु उद्योग सहयोगनों अथवा परिसंघों का प्रतिनिधित्व करने वाले व्यक्ति	
72. प्रधान, कन्ज्यूमर गाइडेन्स सोसायटी आफ इंडिया, मुम्बई ।	सदस्य	80. महानिदेशक (क्वालिटी फोरम), फैडरेशन आफ इण्डियन चैम्बर्स ऑफ कामर्स एण्ड इण्डस्ट्री फेडरेशन हाउस, तानसेन मार्ग, नई दिल्ली-110001	सदस्य
उपभोक्ता हितों का प्रतिनिधित्व करने वाले व्यक्ति			
73. श्रीमती पुष्पा गिरीमाजी, पत्रकार, टाइम्स आफ इंडिया, नई दिल्ली ।	सदस्य	81. महासचिव, एसोसिएटिड चैम्बर्स आफ कामर्स एण्ड इंडस्ट्री आफ इण्डिया, इलाहाबाद बैंक बिल्डिंग, 17, संसद मार्ग, नई दिल्ली-110001	सदस्य
74. प्रो. देवेन दत्ता, आर० क्यू० बरुवा मार्ग, गुवाहाटी, असम ।	सदस्य	82. महानिदेशक, कानफेडरेशन आफ इण्डियन इंडस्ट्री, 23-26, इंस्टीट्यूशनल एरिया, नई दिल्ली-110003	सदस्य
75. श्री एच०डी० शौरी, निदेशक, कॉमन काज, ए-31, वेस्ट एण्ड मोती बाग के निकट, नई दिल्ली ।	सदस्य	83. प्रधान, आस इण्डिया एल०पी०जी० डिस्ट्रीब्यूटर्स फेडरेशन, 346-48 ग्रांट रोड, बलराम भवन, मुम्बई-400007	सदस्य
76. श्री एम०एन० बुच, अध्यक्ष, नेशनल फीडर फार ह्यूमन	सदस्य	84. प्रधान, फैडरेशन ऑफ एसोसिएशन ऑफ स्माल स्केल इंडस्ट्रीज ऑफ इण्डिया, लघु उद्योग कुटी, 23-बी/2, गुरु गोविन्द सिंह मार्ग, नई दिल्ली-110005 ।	सदस्य

85. महासचिव, वर्ल्ड एसोसिएशन ऑफ स्मॉल एण्ड मीडियम एन्टरप्राइसिस, 27 सरस्वती हाउस, नेहरू प्लेस, नई दिल्ली-110019 ।	सदस्य	93. अध्यक्ष, भारत भारी उद्योग निगम लि०, कलकत्ता ।	सदस्य
86. प्रधान, इण्डियन इलेक्ट्रिकल एण्ड इलेक्ट्रॉनिक्स मैन्युफैक्चरर्स एसोसिएशन, 501, कक्कड चैम्बर्स, 132, ऐनी बे सेंट रोड, बर्ली, मुम्बई-400018 ।	सदस्य	94. अध्यक्ष, हिन्दुस्तान मशीन टूल्स लि०, एच०एम०टी० भवन, 59 बैलरी रोड, पोस्ट बाक्स नं० 3295, बंगलौर-560032	सदस्य
87. अध्यक्ष, एग्रीकल्चर एण्ड प्रोसेस्ड फूड प्रॉडक्ट्स एक्सपोर्ट डेवेलपमेंट अथॉरिटी, तृतीय तल, ग्रन्थल चैम्बर्स सं० 11, 6 भीकाजी कामा प्लेस, नई दिल्ली-110066 ।	सदस्य	95. अध्यक्ष, नेशनल बिल्डिंग कंस्ट्रक्शन कार्पोरेशन, लोधी रोड, नई दिल्ली ।	सदस्य
88. अध्यक्ष, पेस्टीसाईड्स एसोसिएशन ऑफ इण्डिया, 1202, नई दिल्ली हाउस, 27 बाराखम्बा मार्ग, नई दिल्ली	सदस्य	96. अध्यक्ष तथा प्रबंध निदेशक, भारत इलेक्ट्रॉनिक्स लि०, 116/2 रेस कोर्स रोड, बंगलौर-560001	सदस्य
89. प्रधान, सीमेन्ट मैन्युफैक्चरर्स एसोसिएशन, एक्सप्रेस बिल्डिंग, चर्च गेट, मुम्बई । पब्लिक सेक्टर उद्यम के प्रतिनिधि	सदस्य	97. अध्यक्ष, इण्डियन फार्मर्स फर्टिलाइजर्स, कोओपरेटिव लि०, 34, नेहरू प्लेस, नई दिल्ली-110019	सदस्य
90. अध्यक्ष, स्टील अथॉरिटी ऑफ इण्डिया, इस्पात भवन, लोधी रोड, नई दिल्ली-110003 ।	सदस्य	98. अध्यक्ष, सीमेन्ट कार्पोरेशन ऑफ इण्डिया, कोर-5, एलसी ओ पी ई काम्प्लेक्स, 7, लोधी रोड, नई दिल्ली-110003	सदस्य
91. अध्यक्ष, भारत हेवी इलेक्ट्रिकल्स लिमिटेड, बी एच ई एल हाउस, सिरी फोर्ट, नई दिल्ली-110049 ।	सदस्य	99. अध्यक्ष, नेशनल इन्डस्ट्रियल डेवेलपमेंट कार्पोरेशन लि०, चाणक्य भवन, अफ्रीका एवेन्यु, चाणक्यपुरी, नई दिल्ली-110021	सदस्य
92. अध्यक्ष, नेशनल थर्मल पावर कार्पोरेशन लि०, एन टी पी सी हाउस, एस सी ओ पी ई काम्प्लेक्स, लोधी रोड, नई दिल्ली-110003 ।	सदस्य	100. अध्यक्ष, इण्डियन ऑयल कार्पोरेशन, एस सी ओ पी ई काम्प्लेक्स, कोर-2, 7 इन्वेंटीयूशनल एरिया, लोधी रोड, नई दिल्ली-110003	सदस्य
		101. अध्यक्ष, नेशनल स्मॉल इन्डस्ट्रीज कार्पोरेशन लि०, नई दिल्ली ।	सदस्य
		पब्लिक सेक्टर से भिन्न औद्योगिक संगठनों के प्रतिनिधि	
		102. अध्यक्ष, किलोस्कर ग्रुप आफ इन्डस्ट्रीज, बंगलौर ।	सदस्य

103. अध्यक्ष, फिलीप्स इण्डिया (लि०), कलकत्ता ।	सदस्य	113. निदेशक, आटोमोटिव रिसर्च एसोसिएशन ऑफ इंडिया, पोस्ट बाक्स सं० 832, पुणे—411 004	सदस्य
104. अध्यक्ष, टाटा इंजिनियरिंग एण्ड लोकोमोटिव, कम्पनी लि०, मुम्बई	सदस्य	114. महानिदेशक, काउंसिल ऑफ साइंटिफिक एण्ड इण्डस्ट्रियल रिसर्च, अनुसंधान भवन, रफी मार्ग, नई दिल्ली—110 001	सदस्य
105. श्री उभा शंकर भोतनी, स्वदेशी सीमेन्ट लि०, भोतनी नगर, कोट पुतली, राजस्थान ।	सदस्य	115. निदेशक, सेन्ट्रल मेनुफैक्चरिंग टेक्नॉलाजी इन्स्टीट्यूट, बंगलौर	सदस्य
106. अध्यक्ष, जी ई सी अलस्थोम इण्डिया लि०, नई दिल्ली ।	सदस्य	116. महानिदेशक, नेशनल काउंसिल ऑफ सीमेन्ट एण्ड बिल्डिंग मैटीरियल्स, पी 21, साउथ एक्सटेंशन-II, नई दिल्ली—110 049 ।	सदस्य
107. अध्यक्ष, डी सी एम लि०, नई दिल्ली ।	सदस्य	117. निदेशक, सेन्ट्रल बिल्डिंग रिसर्च इन्स्टीट्यूट, रुड़की ।	सदस्य
छोटे पैमाने की औद्योगिक इकाइयों के प्रतिनिधि :			
108. श्री एस० बी० चोमल, मै० अरविन्द इण्डस्ट्रीज, एफ-97, रोड नं० 6, बी के आई एरिया, जयपुर—302 013	सदस्य	118. महानिदेशक, सेन्ट्रल पावर रिसर्च इन्स्टीट्यूट, बंगलौर ।	सदस्य
109. श्री शिव शंकर प्रसाद बर्मा, अध्यक्ष, ईस्टर्न इंडिया सीमेन्ट्स प्राइवेट लि०, 123, कोआपरेटिव कालोनी, बोकारो स्टील सिटी—827 001 ।	सदस्य	119. निदेशक, सेन्ट्रल लैडर रिसर्च इन्स्टीट्यूट, चैन्नई ।	सदस्य
वैज्ञानिक तथा अनुसंधान संस्थाओं के प्रतिनिधि :			
110. निदेशक, नेशनल फिजीकल लैबोरेट्री, डा० के० एस० कृष्णन रोड, नई दिल्ली—110 012	सदस्य	तकनीकी, शैक्षणिक और व्यावसायिक संगठनों के प्रतिनिधि	
111. महानिदेशक, इंडियन काउंसिल ऑफ एग्रीकल्चरल रिसर्च, कृषि भवन, नई दिल्ली	सदस्य	120. महानिदेशक, नेशनल प्रोडक्टिविटी काउंसिल, इन्स्टीट्यूशनल एरिया, लोधी रोड, नई दिल्ली—110 003 ।	सदस्य
112. निदेशक, अहमदाबाद टेक्स्टाइल इंडस्ट्रीज रिसर्च एसोसिएशन, डाकघर—अबावाड़ी विस्तार, अहमदाबाद—380 015 ।	सदस्य	121. निदेशक, इण्डियन स्टेटिस्टिकल इन्स्टीट्यूट, 203, बारकपोर ट्रंक रोड, कलकत्ता—700 035	सदस्य
		122. निदेशक, इण्डियन इन्स्टीट्यूट ऑफ पैकेजिंग, ई-2, एम० आई० डी० सी० एरिया, मुम्बई—400 093	सदस्य
		123. प्रधान, इन्स्टीट्यूशन ऑफ इंजीनियर्स (इंडिया), 8, गोखले रोड, कलकत्ता ।	सदस्य

124. निदेशक,
मेशनल बार्डर्स ऑफ एजुकेशनल रिसर्च
एण्ड ट्रेनिंग,
नई दिल्ली । सदस्य of Indian Standards Rules, 1987, the Central Government hereby appoints, the following persons to be members of the Bureau of Indian Standards with immediate effect and for that purpose makes the following amendment in the notification of the Government of India in the Ministry of Food and Civil Supplies (Department of Civil Supplies), number S.C(278 (L), dated the 31st March, 1987, namely :—
125. अध्यक्ष,
मैरीन प्राइक्ट्स एक्सपोर्ट्स डेवलपमेंट
अथॉरिटी (एम पी ई डी ए),
कोचीन । सदस्य
126. प्रधान,
इन्स्टीट्यूशन ऑफ इलेक्ट्रानिक्स एण्ड
टेलीकम्यूनिकेशन इंजीनियर्स,
2, इन्स्टीट्यूशनल एरिया,
लोधी रोड,
नई दिल्ली—110 003 सदस्य
127. निदेशक,
इण्डियन इन्स्टीट्यूट ऑफ टेक्नॉलॉजी,
हौज खास,
नई दिल्ली । सदस्य
128. निदेशक,
ऐनर्जी सेनेजगेन्ट सेन्टर,
(विद्युत गन्तानय),
118, आर्गुवाड काम्प्लेक्स,
ग्रीन पार्क,
नई दिल्ली—110 016 सदस्य
129. उपकुलपति,
रुड़की विश्वविद्यालय,
रुड़की । सदस्य
- (iii) पैरा 2 के स्थान पर निम्नलिखित पैरा रखा जाएगा, अर्थात् :—
- “2. ऊपर क्रम सं० 8 से 129 तक उल्लिखित सदस्यों की पदावधि दो वर्ष होगी ।”
- (ख) भारत सरकार के नागरिक पूर्ति, उपरोक्ता मामले और सार्वजनिक वितरण मंत्रालय की अधिसूचना सं० का०आ० 781(अ) तारीख 13 गितम्बर, 1995, निरसित हो जाती है ।

[का० सं० 2/15/97 -शा मा स्मृति]
रघुनाथ त्रिपाठी, अवर सचिव

New Delhi, the 6th February, 1998

S.O. 391 .—In exercise of the powers conferred by section 3 of the Bureau of Indian Standards Act, 1986 (63 of 1986) read with rule 3 and sub-rule (1) of rule 4 of the Bureau

Members of Parliament

5. Vacant

6. Vacant

7. Vacant

8. Shri Banarsi Das Gupta —Member.
Member,
Rajya Sabha.

9. Smt. Bharati Ray, —Member.
Member,
Rajya Sabha.

Persons representing the Ministries and Department of the Central Government

10. Additional Secretary and —Member.
Financial Adviser
Ministry of Food and
Consumer Affairs.

11. Joint Secretary, —Member.
Department of Industrial
Policy and Promotion.

12. Director General, —Member.
(Road Development),
Ministry of Surface Transport.

13. Joint Secretary, —Member.
Ministry of Agriculture.

14. Joint Secretary, —Member.
Ministry of Commerce.

15. Joint Secretary, —Member.
Department of Rural
Development.

16. Joint Secretary, —Member.
Ministry of Textiles.

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| 17. Joint Secretary,
Department of Telecommu-
nication,
Ministry of Communications. | —Member. | 34. Joint Secretary,
Ministry of Food Processing
Industries. | —Member. |
| 18. Joint Secretary,
Ministry of Health and
Family Welfare. | —Member. | 35. Additional Secretary,
(Bureau of Indian Standards),
Department of Consumer Affairs
Ministry of Food and Consumer
Affairs. | —Member. |
| 19. Joint Secretary,
Ministry of Water Resources. | —Member. | Representatives from the State Governments and the
Union Territories | |
| 20. Joint Secretary,
Ministry of Fertilizer and
Chemicals. | —Member. | 36. Minister Incharge of the Department —Member
having administrative control of
Quality and Standards,
Government of Andhra Pradesh. | |
| 21. Joint Secretary,
Department of Steel. | —Member. | 37. Minister Incharge of the Department —Member.
having administrative control of
Quality and Standards,
Government of Assam. | |
| 22. Adviser (Engineering
Technology),
Department of Science and
Technology. | —Member. | 38. Minister Incharge of the Department — Member
having administrative control of
Quality and Standards,
Government of Bihar. | |
| 23. Joint Secretary,
Department of Power. | —Member. | 39. Minister Incharge of the Department —Member
having administrative control of
Quality and Standards,
Government of Gujarat. | |
| 24. Development Commissioner,
Small Scale Industries. | —Member. | 40. Minister Incharge of the Depart- —Member.
ment having administrative con-
trol of Quality and Standards,
Government of Himachal Pra-
desh. | |
| 25. Joint Secretary,
Ministry of Non-Conventional
Energy Sources. | —Member. | 41. Minister Incharge of the Depart- —Member.
ment having administrative con-
trol of Quality and Standards,
Government of Haryana. | |
| 26. Joint Secretary,
Ministry of Environment
and Forests. | —Member. | 42. Minister Incharge of the Depart- —Member.
ment having administrative con-
trol of Quality and Standards,
Government of Jammu and
Kashmir. | |
| 27. Joint Secretary,
Ministry of Petroleum and
Natural Gas. | —Member. | 43. Minister Incharge of the Depart- —Member.
ment having administrative con-
trol of Quality and Standards,
Government of Karnataka. | |
| 28. Director of Standardization
Department of Defence
Production and Supplies,
Ministry of Defence. | —Member. | 44. Minister Incharge of the Depart- —Member.
ment having administrative con-
trol of Quality and Standards,
Government of Kerala. | |
| 29. Director General,
Supplies and Disposal. | —Member. | 45. Minister Incharge of the Depart- —Member.
ment having administrative con-
trol of Quality and Standards,
Government of Madhya Pradesh. | |
| 30. Director General (Works)
Central Public Works
Department.
Ministry of Urban Affairs and
Employment. | —Member. | | |
| 31. Director General,
Standardization, Testing and
Quality Control Directorate,
Department of Electronics. | —Member. | | |
| 32. Joint Secretary,
Ministry of Information and
Broadcasting. | —Member. | | |
| 33. Executive Director
(Development),
Railway Board. | —Member. | | |

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| 46. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Manipur. | —Member | 58. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Tripura. | —Member |
| 47. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Meghalaya. | —Member | 59. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Uttar Pradesh. | —Member |
| 48. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Nagaland. | —Member | 60. Minister Incharge of the Department having administrative control of Quality and Standards, Government of West Bengal. | Member |
| 49. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Orissa. | —Member | 61. Lieutenant Governor, Union Territory of Andaman and Nicobar Islands. | Member |
| 50. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Rajasthan. | —Member | 62. Administrator, Union Territory of Chandigarh. | —Member |
| 51. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Punjab. | —Member | 63. Administrator, Union Territory of Dadra and Nagar Haveli. | Member |
| 52. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Maharashtra. | —Member | 64. Minister Incharge of Quality and Standards, Government of National Capital Territory of Delhi. | —Member |
| 53. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Goa. | —Member | 65. Administrator, Union Territory of Lakshadweep. | —Member |
| 54. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Mizoram. | —Member | 66. Administrator, Union Territory of Daman and Diu. | —Member |
| 55. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Arunachal Pradesh. | —Member | 67. Lieutenant Governor, Union Territory of Pondicherry. | —Member |
| 56. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Tamil Nadu. | —Member | Representative of Recognized Consumer Organizations | |
| 57. Minister Incharge of the Department having administrative control of Quality and Standards, Government of Sikkim. | —Member | 68. President, Federation of Consumer Associations, West Bengal, Calcutta. | —Member |
| | | 69. President, Voluntary Organization in Interest of Consumer Education (VOICE), F-71, Lajpat Nagar, New Delhi- 110 024. | —Member |
| | | 70. Chairman, Federation of Consumer Organizations of Tamil Nadu (FEDCOT), Chennai. | —Member |

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|---|---------|---|---------|
| 71. President,
Ajmer Zila Gramin Upbhokta
Sangthan,
Masuda,
Rajasthan. | —Member | Federation House,
Tansen Marg,
New Delhi-110 001. | |
| 72. President,
Consumer Guidance Society of
India,
Bombay. | —Member | 81. Secretary General,
Associated Chambers of Com-
merce and Industry of India,
Allahabad Bank Building,
17, Parliament Street,
New Delhi-110 001. | —Member |
| Persons Representing Consumer Interests | | | |
| 73. Mrs. Pushpa Girimaji,
Journalist,
Times of India,
New Delhi. | —Member | 82. Director General,
Confederation of Indian Industry,
23-26, Institutional Area,
New Delhi-110 003. | —Member |
| 74. Prof. Deven Dutta,
R.Q. Barua Road,
Guwahati,
Assam. | —Member | 83. President,
All India LPG Distributors
Federation,
346-48, Grant Road,
Balram Bhuvan,
Mumbai-400 007. | —Member |
| 75. Shri H.D. Shourie,
Director, Common Cause,
A-31, West End, Near Moti
Bagh,
New Delhi. | —Member | 84. President,
Federation of Association of
Small Industries of India,
Laghoodyog Kuteer,
23-B/2, Guru Gobind Singh
Marg,
New Delhi-110 005. | —Member |
| 76. Shri M.N. Buch,
Chairman,
National Cadre for Human
Settlements and Environments,
Bhopal 462016. | —Member | 85. Secretary General,
World Association of Small and
Medium Enterprises,
27 Saraswati House,
Nehru Place,
New Delhi-110 019. | —Member |
| 77. Prof. Manubhai Shah,
Managing Trustee,
Consumer Education &
Research Centre
Suraksha Sankool,
Thaltej,
Ahmedabad-Gadhinaragar High-
way,
Ahmedabad 380 054. | —Member | 86. President,
Indian Electrical and Electronics
Manufacturers Association,
501, Kakad Chambers,
132, Annie Basant Road,
Worli,
Mumbai-400 018. | —Member |
| Persons Representing Farmers Interests | | | |
| 78. Shri Rana Pratap Singh,
B-9/6268, Vasant Kunj,
New Delhi. | —Member | 87. Chairman,
Agricultural and Processed Food
Products
Export Development Authority,
3rd Floor, Ansal Chambers No. 11,
6 Bhikaji Cama Place,
New Delhi-110 066. | —Member |
| 79. Shri Raghupati,
Vill. Skanpur, P.O.-Lavapur
Narayan,
Via-Mahanar, District-Vaishali. | —Member | 88. Chairman,
Pesticides Association of India,
1202, New Delhi House,
27, Burakhamba Road,
New Delhi. | —Member |
| Representatives of Industry/Small Scale Industry
Associations or Federations | | | |
| 80. Director General (Quality
Forum),
Federation of Indian Chambers
of Commerce and Industry | —Member | | |

89. President, Cement Manufacturers Association, Express Building, Church Gate, Mumbai.	—Member	99. Chairman, National Industrial Development Corporation Ltd., Chanakya Bhawan, Africa Avenue, Chanakyapuri, New Delhi-110021.	—Member
Representatives of Public Sector Enterprises			
90. Chairman, Steel Authority of India, Ispat Bhawan, Lodhi Road, New Delhi-110 003.	—Member	100. Chairman, Indian Oil Corporation, SCOPE Complex, Core-2, 7 Institutional Area, Lodhi Road, New Delhi-110 003.	—Member
91. Chairman, Bharat Heavy Electricals Ltd., BHEL House, Siri Fort, New Delhi-110 049.	—Member	101. Chairman, National Small Industries Corporation Ltd., New Delhi.	—Member
92. Chairman, National Thermal Power Corpo- ration Ltd., NTPC House, SCOPE Complex, Lodhi Road, New Delhi-110 003.	—Member	Representatives of Industrial Organizations other than the Public Sector	
93. Chairman, Bharat Bhari Udyog Nigam Ltd., Calcutta.	—Member	102. Chairman, Kirloskar Group of Industries, Bangalore.	—Member
94. Chairman, Hindustan Machine Tools Ltd., HMT Bhawan, 59, Bellary Road, P.O. Box No. 3295. Bangalore-560 032.	—Member	103. Chairman, Philips India Ltd., Calcutta.	—Member
95. Chairman, National Building Construction Corporation, Lodhi Road, New Delhi.	—Member	104. Chairman, Tata Engineering and Locomotive Company Ltd., Mumbai.	—Member
96. Chairman and Managing Director, Bharat Electronics Ltd., 116/2 Race Course Road, Bangalore-560 001.	—Member	105. Shri Uma Shankar Shetani, Swadeshi Cement Ltd., Shetani Nagar, Kot Putli, Rajasthan.	—Member
97. Chairman, Indian Farmers Fertilizers Cooperative Ltd., 34, Nehru Place, New Delhi-110 019.	—Member	106. Chairman, GEC Alsthom India Ltd., New Delhi.	—Member
98. Chairman, Cement Corporation of India, Core-5, SCOPE Complex, 7, Lodhi Road, New Delhi-110 003.	—Member	107. Chairman, DCM Ltd., New Delhi.	—Member
Representatives of Small Scale Industries Units			
		108. Shri S.B. Chomal. M/s Arvind Industries, F-97, Road No. 6, V.K.I. Area, Jaipur-302 013.	—Member
		109. Shri Shiv Shanker Prasad Verma, Chairman, Eastern India Cements Pvt. Ltd. 123, Cooperative Colony, Bokaro Steel City-827001.	—Member

Representatives of Scientific and Research Institutions			
110.	Director, National Physical Laboratory, Dr. K.S. Krishnan Road, New Delhi-110 012.	—Member	
111.	Director General, Indian Council of Agricultural Research, Krishi Bhawan, New Delhi-110 001.	—Member	
112.	Director, Ahmedabad Textile Industries Research Association, P.O. Ambawadi Vistar, Ahmedabad-380015.	—Member	
113.	Director, Automotive Research Associa- tion of India, Post Box No. 832, Pune-411 004.	—Member	
114.	Director General, Council of Scientific & Industrial Research, Anusandhan Bhawan, Rafi Marg, New Delhi-110 001.	—Member	
115.	Director, Central Manufacturing Techno- logy Institute, Bangalore.	—Member	
116.	Director General, National Council of Cement and Building Materials, P-21, South Extension II, New Delhi-110 049.	—Member	
117.	Director, Central Building Research Institute, Roorkee.	—Member	
118.	Director General, Central Power Research Institute, Bangalore.	—Member	
119.	Director, Central Leather Research Institute, Madras.	—Member	
Representatives of Technical, Educational and Professional Organizations.			
120.	Director General, National Productivity Council, Institutional Area, Lodhi Road, New Delhi-110 003.	—Member	
121.	Director, Indian Statistical Institute, 203, Barrackpore Trunk Road, Calcutta-700 035.	—Member	
122.	Director, Indian Institute of Packaging, E-2, MIDC Area, Mumbai-400 093.	—Member	
123.	President, Institution of Engineers (India), 8, Gokhale Road, Calcutta.	—Member	
124.	Director, National Council of Educational Research & Training, New Delhi.	—Member	
125.	Chairman, Marine Products Exports Development Authority (MPEDA), Cochin.	—Member	
126.	President, Institution of Electronics and Telecommunications Engineers, 2 Institutional Area, Lodhi Road, New Delhi-110 003.	—Member	
127.	Director, Indian Institute of Technology, Hauz Khas, New Delhi.	—Member	
128.	Director, Energy Management Centre, (Ministry of Power), 118, Ashirvad Complex, Green Park, New Delhi-110 016.	—Member	
129.	Vice-Chancellor, University of Roorkee, Roorkee.	—Member	

(iii) for paragraph 2, the following paragraph shall be substituted, namely :—

“2. The term of office of the members mentioned at serial numbers 8 to 129 above shall be for a period of two years”.

(b) The notification of the Government of India, Ministry of Civil Supplies, Consumer Affairs and Public Distribution number S.O. 781(E), dated the 13th September, 1995 is hereby repealed.

[File No. 2/15/97-BIS]
R. N. TRIPATHY, Under Secy.

[File No. 2/15/97-BIS]

R. N. TRIPATHY, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 9 फरवरी, 1998

का.आ. 392.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 829 तारीख 29 मार्च, 1997, पश्चिमी बंगाल राज्य के हल्दिया से बिहार राज्य के बरौती तक कूड के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ।

और उक्त अधिसूचना की प्रतियां जनता को तारीख 9 अप्रैल, 1997 को उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जन किया जाता है।

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमियों के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लिंगमें से मुक्त उडियन आयल कार्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

पुलिस थाना : गुताहाटा		जिला : मिदनापुर		राज्य : पश्चिमी बंगाल		
गांव	अधिकारिता सूची सं.	प्लॉट सं.	क्षेत्र			
			हेक्टेयर	आरे	सेन्टीआरे	
1	2	3	4	5	6	
तंतुलबेरिया	170	1386	0	0	82	
पुलिस थाना—महीशादल			जिला—मिदनापुर			
कुमारारा	118	852	0	0	41	
		858	0	3	84	
		758	0	2	43	
		759	0	1	82	
बागभारी	101	530	0	5	26	
		502	0	0	81	
		503	0	0	81	
		504	0	1	21	
गुग्ग्या	45	43	0	0	40	
		42	0	0	20	
		41	0	0	40	
		30	0	2	2	
नरादारी	14	1494	0	2	2	
		1464	0	2	63	
कोलमार	88	768	0	2	43	
		769	0	5	67	
		676	0	2	23	

पुलिस थाना—तामलुक	जिला—मिर्जापुर		राज्य—पश्चिमी बंगाल		
1	2	3	4	5	6
निश्चिन्ताबसन	147	1758	0	0	81
		1757	0	2	83
		1756	0	4	45
		1755	0	2	2
		1754	0	1	1
		1759	0	1	21
		1760	0	1	82
		1761	0	0	81
		1762	0	0	40
		1763	0	1	1
		1282	0	5	26
		1276	0	2	2
		1283	0	1	1
		1160	0	0	40
		1162	0	0	12
		1258	0	1	62
बनीचर	136	706	0	1	62
		707	0	0	20
		709	0	1	62
नीलकुंधिया	52	2977	0	10	12
		2980	0	0	81
		3479	0	1	82
		2976	0	0	40
		2987	0	4	86
		2988	0	2	43
		2990	0	4	45
		2954	0	2	2
		3306	0	2	2
		3305	0	1	21
		2946	0	4	5
		2953	0	0	10
		2947	0	2	2
		2948	0	2	2
		2949	0	4	86
		2950	0	3	64
		3287	0	4	5
		2925	0	1	21
		2926	0	2	83
		2916	0	3	24
		2915	0	3	24
		2917	0	3	24
		3286	0	3	64
		2908	0	2	2
		2911	0	1	62
		2910	0	3	24
		2909	0	4	86
		2897	0	8	9
		2898	0	6	48

1	2	3	4	5	6
कोलकथिया—जारी	52	2899	0	0	10
		2900	0	0	61
		2896	0	4	5
		2876	0	0	20
		3282	0	0	20
		2895	0	4	5
		2878	0	0	20
		2879	0	0	20
		2868	0	0	10
		2880	0	5	67
		2867	0	3	24
		3281	0	1	62
		2864	0	5	67
		2860	0	2	43
		2861	0	0	10
		2862	0	0	10
		3279	0	2	43
		2858	0	4	45
		1576	0	0	41
		1577	0	2	83
		1582	0	0	10
		1583	0	1	62
		1581	0	0	10
		1584	0	2	83
		1585	0	1	1
		1586	0	1	1
		1587	0	1	1
		1588	0	2	2
		1567	0	0	10
		1589	0	1	42
		1656	0	1	42
		1657	0	4	45
		1658	0	2	63
कानपीवार	58	37	0	0	81
		38	0	0	40
		39	0	0	10
		31	0	1	62
		30	0	1	1
		29	0	0	20
		28	0	2	63
		27	0	1	82
		10	9	1	1
		36	0	0	20
कापामेरे	283	1889	0	3	24
		1775	0	1	62
		1817	0	3	4
		845	0	2	2
		848	0	1	82

1	2	3	4	5	
फदूम बसन	144	2408	0	2	63
		624	0	1	82
		623	0	1	82
		613	0	2	43
		611	0	4	85
		612	0	4	86
दाहारपुर	276	31	0	6	88
		32	0	6	48
राजगोडा	100	468	0	0	20
		467	0	1	62
		466	0	12	55
पदमपुर	99	97	0	10	12
		98	0	2	43
		639	0	1	82
		2	0	3	24
हरशंकर खामरबक	59	1477	0	0	40
		1524	0	2	43
		1476	0	3	32
नारपडुमवामन	145	242	0	1	20
		249	0	0	40
पुलिस थाना—पंसकुरा		जिला—मिदनापुर		राज्य—पश्चिमी बंगाल	
गजई	248	99	0	0	64
		95	0	2	59
		69	0	1	29
		70	0	3	95
		68	0	0	20
		67	0	2	76
		23	0	0	10
		22	0	2	2
		21	0	1	2
		19	0	2	63
		14	0	2	63
		15	0	5	26
		16	0	0	47
रामचन्द्रपुर	250	1145	0	4	22
		17	0	2	43
		18	0	7	76
		9	0	0	40
		1159	0	4	45
		92	0	3	64
		94	0	1	62
		93	0	3	24
मनोहरपुर	252	535	0	3	24
		534	0	3	64
		1131	0	0	40
		533	0	1	82

1	2	3	4	5	6
मनोहरपुर—जारी	252	547	0	1	82
		548	0	4	5
		552	0	4	86
		551	0	5	6
		550	0	0	40
		563	0	6	27
		1140	0	7	69
		581	0	3	84
		1148	0	3	64
		1149	0	4	29
		457	0	0	10
		456	0	1	21
		453	0	1	1
		452	0	2	2
		451	0	4	86
		1091	6	3	81
		420	0	1	69
		418	0	0	1
पथरिया	249	573	0	0	40
बंगालपुर	317	1669	0	5	67
		1079	0	1	62
		2037	0	1	1
		1671	0	5	26
		1982	0	1	42
नंदाईगजन	310	902	0	0	23
		903	0	4	45
		1436	0	0	61
		1358	0	2	83
		630	0	0	40
		631	0	7	69
		904	0	2	43
शारबानसन	305	245	0	11	74
		351	0	5	67
		353	0	1	21
		355	0	11	74
		243	0	4	5
		482	0	0	80
बाराडाबर	298	1046	0	5	26
		1047	0	0	40
		471	0	2	83
		148	0	2	83
		149	0	5	26
		475	0	0	81
कुंगरहट	296	582	0	2	83
पुलिस थाना—दामपुर	जिला—मिशनपुर		राज्य—पश्चिमी बंगाल		
गोमोकपोटा	237	1956	0	0	61
		1610	0	0	20

1	2	3	4	5	6
पालशापाई	156	2094	0	0	20
जोधरामचक	157	3077	0	0	81
		3078	0	2	42
		792	0	0	20
		3015	0	0	81
		3014	0	0	81
आदमपुर	228	1647	0	0	20
फरीदपुर	227	150	0	0	61
		427	0	0	40

[संख्या : आर-31015/3/97-ओ.आर.-1]

के.सी. कटोच, अधीक्षक सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 9th February, 1998

S.O 392.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 829 dated the 29th March 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), hereinafter referred to as the said Act, the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of crude from Haldia in the State of West Bengal to Barauni in the state of Bihar;

And whereas, the copies of the said notification were made available to the public on the 9th April, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further, in exercise of the powers conferred by the sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vests, in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Police Station : Sutahata		District : Midnapur		State : West Bengal		
Village	Jurisdiction List No.	Plot No.	Area			
			Hectares	Ares	Centiares	
1	2	3	4	5	6	
Tentulberia	170	1386	0	0	82	
Police Station — Mahisadal		District — Midnapur		State — West Bengal		
Kumarara	118	852	0	0	41	
		858	0	3	84	
		758	0	2	43	
		759	0	1	82	

1	2	3	4	5	6
Bagmari	101	530	0	5	26
		502	0	0	81
		503	0	0	81
		504	0	1	21
Guria	45	43	0	0	40
		42	0	0	20
		41	0	0	40
		30	0	2	2
Naradari	44	1494	0	2	2
		1464	0	2	63
Kolsar	88	768	0	2	43
		769	0	5	67
		676	0	2	23
Police Station — Tamluk		District — Midnapur		State — West Bengal	
Nischintabasan	147	1758	0	0	81
		1757	0	2	83
		1756	0	4	45
		1755	0	2	2
		1754	0	1	1
		1759	0	1	21
		1760	0	1	82
		1761	0	0	81
		1762	0	0	40
		1763	0	1	1
		1282	0	5	26
		1276	0	2	2
		1283	0	1	1
		1160	0	0	40
		1162	0	0	12
		1258	0	1	62
Banhichar	136	706	0	1	62
		707	0	0	2
		709	0	1	62
Nilkunthia	52	2977	0	10	12
		2980	0	0	81
		3479	0	1	82
		2976	0	0	40
		2987	0	4	86
		2988	0	2	43
		2990	0	4	45
		2954	0	2	2
		3306	0	2	2
		3305	0	1	21
		2946	0	4	5
		2953	0	0	10
		2947	0	2	2
		2948	0	2	2
		2949	0	4	86
		2950	0	3	64
		3287	0	4	5
		2925	0	1	21

1	2	3	4	5	6
Nilkunthia—Contd.		2926	0	2	83
		2916	0	3	24
		2915	0	3	24
		2917	0	3	24
		3286	0	3	64
		2908	0	2	2
		2911	0	1	62
		2910	0	3	24
		2909	0	4	86
		2897	0	8	9
		2898	0	6	48
		2899	0	0	10
		2900	0	0	61
		2896	0	4	5
		2876	0	0	20
		3282	0	0	20
		2895	0	4	5
		2878	0	0	20
		2879	0	0	20
		2868	0	0	10
		2880	0	5	67
		2867	0	3	24
		3281	0	1	62
		2864	0	5	67
		2860	0	2	43
		2861	0	0	10
		2862	0	0	10
		3279	0	2	43
		2858	0	4	45
		1576	0	0	41
		1577	0	2	83
		1582	0	0	10
		1583	0	1	62
		1581	0	0	10
		1584	0	2	83
		1585	0	1	1
		1586	0	1	1
		1587	0	1	1
		1588	0	2	2
		1567	0	0	10
		1589	0	1	42
		1656	0	1	42
		1657	0	4	45
		1658	0	2	63
Kantibar	58	37	0	0	81
		38	0	0	40
		39	0	0	10
		31	0	1	62
		30	0	1	1
		29	0	0	20
		28	0	2	63
		27	0	1	82
		10	0	1	1
		36	0	0	20

1	2	3	4	5	6
Kapashbere	283	1889	0	3	24
		1775	0	1	62
		1817	0	3	4
		845	0	2	2
		848	0	1	82
Padumbasan	144	2408	0	2	63
		624	0	1	82
		623	0	1	82
		613	0	2	43
		611	0	4	86
		612	0	4	86
Daharpur	276	31	0	6	88
		32	0	6	48
Rajgoda	100	468	0	0	20
		467	0	1	62
		466	0	12	55
Padampur	99	97	0	10	12
		98	0	2	43
		639	0	1	82
		2	0	3	24
Harashankar Khamarchak	59	1477	0	0	40
		1524	0	2	43
		1476	0	3	32
Barapadumbasan	145	242	0	1	20
		249	0	0	40
Police Station — Panskure		District — Midnapur		State — West Bengal	
Gajai	248	99	0	0	64
		95	0	2	59
		69	0	1	29
		70	0	3	95
		68	0	0	20
		67	0	2	76
		23	0	0	10
		22	0	2	2
		21	0	1	2
		19	0	2	63
		14	0	2	63
		15	0	5	26
		16	0	0	47
Ramchandrapur	250	1145	0	4	22
		17	0	2	43
		18	0	7	76
		9	0	0	40
		1159	0	4	45
		92	0	3	64
		94	0	1	62
		93	0	3	24
Mamoharpur	252	535	0	3	24
		534	0	3	64
		1131	0	0	40
		533	0	1	82
		547	0	1	82
		548	0	4	5
		552	0	4	86
		551	0	5	6

1	2	3	4	5	6
Manoharpur (Contd.)		550	0	0	40
		563	0	6	27
		1140	0	7	69
		581	0	3	84
		1148	0	3	64
		1149	0	4	29
		457	0	0	10
		456	0	1	21
		453	0	1	1
		452	0	2	2
		451	0	4	86
		1091	0	3	81
		420	0	1	69
		418	0	0	1
Pathria	249	573	0	0	40
Bangalpur	317	1669	0	5	67
		1079	0	1	62
		2037	0	1	1
		1671	0	5	26
		1982	0	1	42
Nandaigazan	310	902	0	2	23
		903	0	4	45
		1436	0	0	61
		1358	0	2	83
		630	0	0	40
		631	0	7	69
		904	0	2	43
Sardabasan	305	245	0	11	74
		351	0	5	67
		353	0	1	21
		355	0	11	74
		243	0	4	5
		482	0	0	80
Baradabar	298	1046	0	5	26
		1047	0	0	40
		471	0	2	83
		148	0	2	83
		149	0	5	26
		475	0	0	81
Kungerhat	296	582	0	2	83
Police Station — Daspur		District — Midnapur		State — West Bengal	
Gomokpota	237	1956	0	0	61
		1610	0	0	20
Palshpai	156	2094	0	0	20
Joyramchak	157	3077	0	0	81
		3078	0	2	42
		792	0	0	20
		3015	0	0	81
		3014	0	0	81
Adampur	228	1647	0	0	20
Faridpur	227	150	0	0	61
		427	0	0	40

नई दिल्ली, 9 फरवरी, 1998

का.आ. 393.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2430 तारीख 27 सितम्बर, 1997 पश्चिमी बंगाल राज्य के हल्दिया से बिहार राज्य के बरोनी तक कूड के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन हेतु उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी।

और उक्त अधिसूचना की प्रतियां जनता को तारीख 13-10-1997 को उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमियों के उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय सभी विल्लंगमों से मुक्त इंडियन आयल कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

पुलिस थाना : खोयरासोल		जिला : बीरभूम		राज्य : पश्चिमी बंगाल	
गांव	अधिकारिता सूची संख्या	प्लॉट संख्या	क्षेत्र		
			हेक्टेयर	आर.	सेन्टीयर
1	2	3	4	5	6
आनन्द नगर	12	1966	0	14	16
		35	0	2	15
बुधपुर	11	591	0	0	32
		592	0	0	65
हरीपुर	10	718	0	1	82
		712/1319	0	1	21
		712/1318	0	1	21
		715/1342	0	0	81
		559	0	2	83
केन्दुआकुरी	7	415	0	0	81
		551	0	0	50
		548	0	0	10
		547	0	0	70
		546	0	0	28
अल्लीओट	8	139	0	0	97
		1330	0	1	50

1	2	3	4	5	6
पुलिस थाना—दुबराजपुर	जिला—बीरभूम		राज्य—पश्चिमी बंगाल		
बोडग्राम	208	917	0	6	7
		875	0	8	9
भालुका	207	31	0	0	10
बिरोरी	164	403	0	0	10
रंगना	163	2363	0	0	10
दक्षिण नोपालपुर	150	239	0	14	13
पछियारा	168	2701	0	0	80
		1877	0	2	81
		2091	0	2	2
		2824	0	0	61
		1886	0	0	20
		660	0	0	40
		518	0	0	3
		3427	0	2	83
चन्द्रपुर	169	1864	0	0	31
		808	0	0	48
		206	0	1	97
		602	0	0	10
		807	0	0	61
हेतमपुर	143	254	0	0	81
		255	0	1	62
		130	0	1	62
मोहनपुर	142	368	0	0	81
नुनेदी	110	74	0	0	81
जंगल दुबराजपुर	138	1509	0	1	62
पहिलपुर	111	1132/1692	0	2	2
		1717	0	7	28
बालीजुग	21	602	0	5	1
खोलकुंडा	5	223	0	0	20
		209	0	1	21
हसलामपुर	140	831	0	17	7
पुलिस थाना—ईलाम बाजार	जिला—बीरभूम		राज्य—पश्चिमी बंगाल		
भाटीकोना	115	1045	0	1	46
पछियारा	106	1624	0	7	28
नृपतिग्राम	43	1341	0	0	40
		1330	0	5	30
धर्मपुर	46	1936	0	0	20
		1627	0	1	21
शुनुत	47	529	0	2	2
		6	0	6	7
मालका	48	1207	0	0	40
पुलिस थाना—बोलपुर	जिला—बीरभूम		राज्य—पश्चिमी बंगाल		
चंदनपुर	110	3090	0	15	78
		3057	0	2	43

1	2	3	4	5	6
रूपपुर	52	343	0	7	89
		442	0	8	70
		429	0	0	81
		2933	0	0	81
		2982	0	6	56
		3063	0	0	81
		3074	0	0	81
		7420	0	0	81
		8183	0	4	5
		8231	0	15	78
		8271	0	15	78

[संख्या : आर-31015/21/97-ओ.आर.-I]

वे: सी. कटोच, अवर सचिव

New Delhi, the 9th February, 1998

S.O. 393.--Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 2430 dated the 27th Sept. 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of crude from Haldia in the State of West Bengal to Barauni in the State of Bihar;

And whereas, the copies of the said notification were made available to the public on the 13-10-1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of the section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the Schedule appended to this notification are hereby acquired;

And further, in exercise of the powers conferred by the sub-section (4) of the said section, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

Police Station : Khoyrasole	District: Birbhum	State : West Bengal			
Village	Jurisdiction List No.	Plot No.	Area		
			Hectares	Ares	Centiares
	2	3	4	5	6
Anandanagar	12	1966	0	14	16
		35	0	2	15
Budhpur	11	591	0	0	32
		592	0	0	65
Haripur	10	718	0	1	82
		712/1319	0	1	21
		712/1318	0	1	21
		715/1342	0	0	81
		559	0	2	83
Kenduakuri	7	415	0	0	81
		551	0	0	50
		548	0	0	10
		547	0	0	70
		546	0	0	28
		139	0	0	97
Alliot	8	1330	0	1	50
Police Station - Dubrajpur		District - Birbhum		State - West Bengal	
Bodhgram	208	947	0	6	7
		875	0	8	9

1	2	3	4	5	6
Bhaluka	207	31	0	0	10
Birori	164	403	0	0	10
Rengna	163	2363	0	0	10
Dakshin Gopalpur	156	239	0	14	13
Pachiara	168	2701	0	0	80
		1877	0	2	81
		2091	0	2	2
		2824	0	0	61
		1886	0	0	20
		660	0	0	40
		518	0	0	3
		3427	0	2	83
Chandrapur	169	1864	0	0	31
		808	0	0	48
		206	0	1	97
		602	0	0	10
		807	0	0	61
Hetampur	143	254	0	0	81
		255	0	1	62
		130	0	1	62
Mohanpur	142	368	0	0	31
Nunedi	110	74	0	0	81
Jungle Dubrajpur	138	1509	0	1	62
Panditpur	111	1132/1692	0	2	2
		1717	0	7	28
Balijuri	21	602	0	5	1
Kholakudi	5	223	0	0	20
		209	0	1	21
Islampur	140	831	0	17	7
Police Station — Illambezari		District — Birbhum		State — West Bengal	
Matikona	115	1045	0	1	46
Pachiara	106	1624	0	7	28
Nripatigram	43	1341	0	0	40
		1330	0	5	30
Dharampur	46	1936	0	0	20
		1627	0	1	21
Shunut	47	529	0	2	2
		6	0	6	7
Salka	48	1207	0	0	40
Police Station — Bolepur		District — Birbhum		State — West Bengal	
Chandanpur	110	3090	0	15	78
		3057	0	2	43
Ruppur	52	343	0	7	89
		442	0	8	70
		429	0	0	81
		2933	0	0	81
		2982	0	6	56
		3063	0	0	81
		3074	0	0	81
		7420	0	0	81
		8183	0	4	5
		8231	0	15	78
		8271	0	15	78

रसायन और उर्वरक मंत्रालय

(उर्वरक विभाग)

नई दिल्ली, 10 फरवरी, 1998

Fertilizer Corporation of India Limited,
Sindri².

[F. No. 76/3/93-FDC/HR-I]

S. K. DASH, Director (A)

का.आ. 394:—सार्वजनिक परिसर (अप्राधिकृत कब्जों की वेदखली) नियम, 1971 (1971 के 40) के अनुच्छेद 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार फर्टिलाइजर कारपोरेशन ऑफ इंडिया लि. के सिन्दरी एकक के मुख्य कार्यपालक अधिकारी जो सरकार के राजपत्रित अधिकारी के समतुल्य हैं, को उक्त अधिनियम के प्रयोजनों के लिए एतदनुसार एस्टेट अधिकारी नियुक्त करती है और इस उद्देश्य के लिए भारत सरकार के निर्माण तथा आवास मंत्रालय के दिनांक 3 मार्च, 1972 की अधिसूचना सं. 870 में निम्नलिखित संशोधन करती है, अर्थात् :—

दो गई उक्त अधिसूचना की सारणी की श्र. सं. 9 के समक्ष कॉलम (1) में विद्यमान प्रविष्टियों में निम्नलिखित प्रविष्टियाँ प्रति स्थापित की जाएँ, अर्थात् :—

“मुख्य कार्यपालक अधिकारी,

सिन्दरी एकक

फर्टिलाइजर कारपोरेशन ऑफ इंडिया लि.

सिन्दरी।”

[एफ सं. 76/3/93-एफ डी सी/एच आर-I]

एस. के. दास, निदेशक (प्र)

नोट :—मुख्य अधिसूचना भारत राजपत्र में दिनांक 3-3-72 के सं. का.आ. 870 के माध्यम से जारी की गई थी और इसके पश्चात् दिनांक 21-8-85 के सं.क.म. 4586 दिनांक 28-7-1992 के सं. का. स. 1697 दिनांक 26-7-95 के सं.क.स. 1180 के माध्यम से संशोधित की गई थी।

MINISTRY OF CHEMICALS AND FERTILIZERS

(Department of Fertilizers)

New Delhi, the 10th February, 1998

S.O. 394.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Chief Executive Officer, Fertilizer Corporation of India Ltd., Sindri Unit, being an officer equivalent to the rank of a gazetted officer of the Government, to be an Estate Officer for the purposes of the said Act, and for that purpose makes the following further amendment, in the notification of the Government of India in the Ministry of Works and Housing, number S.O. 870 dated, the 3rd March, 1972, namely :—

In the said notification, in the TABLE, against serial number 9, for the existing entries in column (1), the following entries shall be substituted, namely :—

“Chief Executive Officer,
Sindri Unit,

NOTE.—The Principal notification was published in the Gazette of India vide number S.O. 870 dated 3-3-72 and subsequently amended vide S.O. 4586 dated 21-8-85, S.O. 1697 dated 28th July, 1992, and S.O. 2180 dated 26th July, 1995.

जल भूतल परिवहन मंत्रालय

(नौवहन पक्ष)

नई दिल्ली, 2 फरवरी, 1998

का.आ. 395.—केन्द्र सरकार, वाणिज्यिक पोत परिवहन अधिनियम, 1958 की धारा 11 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार, परिवहन मंत्रालय की दिनांक 15-12-54 की अधिसूचना सं. 4-एम ए (5)/54 का अधिक्रमण करते हुए एतद्वारा निदेश देती है कि चन्नई पोत के नौवहन कार्यालय का कार्य नाविक कल्याण अधिकारी, चन्नई के कार्यालय में किया जाए।

[फा. सं. ए-22012/2/95-एम ए]

एस. के. दरगन, अवर सचिव

MINISTRY OF SURFACE TRANSPORT

(Shipping Wing)

New Delhi, the 2nd February, 1998

S.O. 395.—In exercise of the powers conferred by sub-section (3) of Section 11 of Merchant Shipping Act, 1958 and in supersession of the notification of the Government of India in the then Ministry of Transport No. 4-MA(5)/54 dated 15-12-54, the Central Government hereby direct that the business of Shipping Office at Chennai Port shall be conducted at the office of Seamen's Welfare Officer, Chennai.

[F. No. A-12012/2/95-MA]

S. K. DARGAN, Under Secy.

इलेक्ट्रॉनिकी विभाग

नई दिल्ली, 3 फरवरी, 1998

का.आ. 396.—सार्वजनिक भवन (अनधिकृत कब्जे की वेदखली) अधिनियम 1971 (1971 का 40) की धारा 3 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा निम्नलिखित तालिका के कॉलम (1) में उल्लिखित अधिकारी सीएमसी लिमिटेड में भारत सरकार के राजपत्रित अधिकारी के समतुल्य अधिकारी होने के कारण उपर्युक्त अधिनियम के प्रयोजन से उन्हें सम्पदा अधिकारी के रूप में

कार्य करने के लिए नियुक्त करती है और यह आदेश देती है कि उक्त अधिकारी प्रदत्त शक्तियों का प्रयोग करेंगे तथा उक्त तालिका के कॉलम (2) में विनिर्दिष्ट सार्वजनिक परिसर के संबंध में अपने कार्यक्षेत्र की स्थानीय सीमा के अधीन रहते हुए उक्त अधिनियम के अन्तर्गत अथवा इसके द्वारा विनिर्दिष्ट कार्यों का निष्पादन करेंगे।

तालिका

अधिकारी का पद

सार्वजनिक भवन की श्रेणी व कार्य क्षेत्र की स्थानीय सीमा

(1)

(2)

- | | |
|---|--|
| 1. श्री एस. के. सी. माथुर
अतिरिक्त महा प्रबंधक
एवं कम्पना सचिव
सीएमसी लिमिटेड,
दिल्ली | भारत के विभिन्न स्थानों में
सीएमसी लिमिटेड के स्वामित्व
के अधीन या पट्टे पर ली गई सभी
भूमियां एवं भवन |
|---|--|

[सं. 2(18)/97-पीएसयू]

आजाद सिंह नेह्रा, उपनिदेशक

DEPARTMENT OF ELECTRONICS

New Delhi, the 3rd February, 1998

S.O. 396.—In exercise of the powers conferred by Section 3 of the Public Premises Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being officer of the CMC Ltd. equivalent to the rank of Gazetted Officer of the Government of India, to be Estate Officer for the purposes of the said Act and further directs that the said officer shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in voloumn (2) of the said Table.

Table

Designated of the officer	Categories of the public premises and local limits of jurisdiction
(1)	(2)
1. Shri S. K. C. Maithur, Additional General Manager and Company Secretary, CMC Ltd. Delhi.	All lands and buildings owned or taken on lease by CMC Ltd. at various places through out India.

[No. 2(18)/97-PSU]

A. S. NEHRA, Dy. Director

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 27 जनवरी, 1998

का.आ. 397.—चलचित्र (प्रमाणन) नियमावली, 1983 के नियम-9 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) के खण्ड-5 के उपखण्ड (2) द्वारा प्रदत्त शक्तियों का उपयोग करने हुए केन्द्रीय सरकार भारतीय सूचना सेवा, समूह 'क' के कनिष्ठ प्रशासनिक ग्रेड (तदर्थ) अधिकारी श्री के.एम. अच्युथन को दिनांक 19 जनवरी, 1998 से 4 वर्ष की अवधि अथवा अपने आदेशों जो भी पहले हों, तक के लिए प्रतिनियुक्ति आधार पर क्षेत्रीय अधिकारी, केन्द्रीय फिल्म प्रमाणन बोर्ड, बंगलौर के रूप में नियुक्त करती है।

[फा.सं. 801/6/97-पफ. (सी.)]

आई. पी. मिश्रा, डेस्क अधिकारी

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 27th January, 1998

S.O. 397.—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rule 9 of the Cinematograph (Certification) Rules, 1983, the Central Government is pleased to appoint Shri K. S. Achyuthan, a Junior Administrative Grade (ad hoc) Officer of Indian Information Service, Group 'A', as Regional Officer, Central Board of Film Certification, Bangalore on deputation basis for a period of 4 years from 19th January, 1998 or until further orders whichever is earlier.

[F. No. 801/6/97-F (C)]

I. P. MISHRA, Desk Officer

संचार मंत्रालय

(दूरसंचार विभाग)

(अनुश्रवण संघटन)

नई दिल्ली, 4 फरवरी, 1998

का.आ. 398.—केन्द्रीय सरकार, राजभाषा (सब के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में संचार मंत्रालय, दूरसंचार विभाग के बेतार अनुश्रवण संघटन में उप निदेशक, अंतर्राष्ट्रीय उपगृह अनुश्रवण भू-केन्द्र जालना के कार्यालय को, जिनके कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिमूचित करती है।

[सं. ई-11011/11/97-हिन्दी]

आ.प्र. चौधरी, निदेशक (वे.अनु.)

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

(Wireless Monitoring Organisation)

New Delhi, the 4th February, 1998

AND

D.O.S. (M),

Central Railway, Jhansi.

Ex PARTE AWARD

S.O. 398.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for Official purposes of the Union) Rules, 1976, the Central Government hereby notifies the office of the Dy. Director, International Satellite Monitoring Earth Station, Jalna in the Wireless Monitoring Organisation of the Ministry of Communications, Deptt. of Telecom., the staff whereof have acquired a working knowledge of Hindi Language.

[No. E-11011/11/97-Hindi]

A. P. CHAUDHURI, Director (WM)

श्रम मंत्रालय

नई दिल्ली, 20 जनवरी, 1998

का.आ. 399.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल रेलवे, झांसी के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-1-98 को प्राप्त हुआ था।

[संख्या एल-41012/133/95-आई.आर.(बी-1)]

पी.जे. माईकल, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 20th January, 1998

S.O. 399.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway, Jhansi and their workman, which was received by the Central Government on the 19-1-98.

[No. L-41012/133/95-IR(B.I.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR, KANPUR.

Industrial Dispute No. 93 of 1996

In the matter of Dispute between :

President,
R.C.S.R.M. Congress,
2/236 Nannair Agra

1. Central Government Ministry of Labour, New Delhi vide its Notification No. L-41012/133/95-I.R. (B-I) dated 1-10-96 has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of DOM(C) Central Railway Jhansi in terminating the services of Shri Roshan Lal Casual Labour PW1, MTJ w.e.f. 30-6-91 is legal and justified ? If not he is entitled to what benefits ?

2. The case of the concerned workman Roshan Lal is that he was engaged Khalasi on 20-1-79 under Traffic Inspector Mathura, of the opposite party Mathura. He had acquired Temporary Status. He was sent for Medical examination and he was declared medically fit. Yet he was illegally removed from service in breach of provision of Section 25F I.D. Act without payment of retrenchment compensation and notice pay. Hence this termination is bad in law.

3. The opposite party has failed to put in appearance in spite of sufficient service. Hence case proceeded exparte against it.

4. In support of his claim the concerned workman has examined its Trade Union Representative Krishna Murari Sharma as WW(1) beside medical certificate Ext. W-2 has been filed. There is no evidence in rebuttal, I find the above un rebutted evidence of concerned workman sufficient to prove his case. Accordingly my award is that removal of service of concerned workman is bad in law and he is entitled for reinstatement with back wages from date of reference.

B.K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 जनवरी, 1998

का.आ. 400.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्थ ईस्टर्न रेलवे, लखनऊ के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-1-98 को प्राप्त हुआ था।

[संख्या एल-41011/26/92-आई.आर. (डीयू.)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 20th January, 1998

S.O. 400.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the

management of North Eastern Rly., Lucknow and their workman, which was received by the Central Government on the 19-1-98.

[No. L-41011/126/92-IR (R.U).]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Tribunal Dispute No. 69 of 1993

In the dispute between :

General Secretary,
Purvottar Railways Shramik Sangh,
6 Navin Market, Kaisar Bagh,
Lucknow-226001.

AND

D. S. T. E. (Construction)
North Eastern Railway,
Ashok Marg, Lucknow.

APPEARANCE :

P. K. Tiwari for the workman and Kumar Jahan Advocate for the Management North Eastern Railway, Lucknow.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-41011/26/92-I.R. (D.U.), dated 26-8-1993, has referred the following dispute for adjudication to the Tribunal :—

Whether the demand of the Union (Purvottar Railway Shramik Sangh) to reinstate Shri Jai Kishan son of Ram Dulary Ex-Khalasi under S.I.(C) Aishbagh, Lucknow, w.e.f. 6-3-89 with full back wages is justified ? If not, to what relief the workman concerned is entitled to while his juniors were retained ?

2. The case of the concerned workman Jai Kishan is that he was engaged under Inspector of Signal at Aishbagh of the opposite party N.E.R. as Khalasi on 7-8-85. He continuously worked upto 3-3-89 whereafter his services were dispensed in breach of provisions of section 25F of I.D. Act. It may be mentioned that before L. C. retrenchment was also challenged on the ground there has been breach of section 25F of I.D. Act.

3. The opposite party has also filed reply in which it was alleged that the concerned workman along with others have been retrenched in terms of direction given by Hon'ble Supreme Court keeping in view the principles of last come first go. Accord-

dingly the management has effected the retrenchment. Notice pay retrenchment compensation was also paid, hence retrenchments not bad.

4. No rejoinder has been filed.

5. From the above pleadings of the parties it will be evident that it is not disputed that the concerned workman had worked from 7-8-85 to 3-3-89 continuously and there upon he had worked for 240 days. Only dispute is about the fact whether the retrenchment compensation and notice pay has been paid or not. In this regard reference to various evidence may be made. Ext. M-1 is the copy of engagement letter of the concerned workman alongwith others as Khalasi, Ext. M-2 is the letter dt. 15-2-89 given by DSTE (Construction) L.J.N ordering Chief Signal Inspector to retrenchment the concerned workman alongwith others. Ext. M-3 is the letter dated 20-9-89 given by DSTE Construction L.J.N by which sanction has been accorded for payment of one month's pay in lieu of notice pay to the concerned workman alongwith others. Ext. M-4 is the copy of letter dated 20-2-89 by which concerned workman was also ordered to be paid retrenchment compensation and notice pay. It also bears endoresment that this notice was sought to be served on the concerned workman but he refused to accept it. Ext. M-5 is letter dated 20-2-89 by which DSTE has certified that he has compensation to the retrenched employee.

6. On the other hand the concerned workman Jai Kishan W.W.1 has stated that at the time of retrenchment he was not paid any retrenchment compensation and notice pay. He has also denied that he had at any stage had refused to accept retrenchment compensation and notice pay.

7. A.K. Dass M.W.1 head clerk had stated that the concerned workman was paid retrenchment compensation and notice pay. I think oral evidence is not enough. The receipt of payment of retrenchment compensation and notice pay ought to have been filed which has not been in this case. In its absence it cannot be said that retrenchment compensation and notice pay has been paid to the concerned workman. Further in this case, it appears that retrenchment order was passed on 15-2-89 whereas retrenchment compensation and notice pay has been offered on 20-2-89 which is a date subsequent to retrenchment. Thus the requirement of law that both these items should be paid at the time of retrenchment, In this way it is not faithful compliance of section 25F of I.D. Act.

8. Accordingly it is held that the concerned workman was not paid retrenchment compensation and notice pay at the time of retrenchment. Hence this retrenchment is bad. In view of above discussion my award is that retrenchment of concerned workman is bad in law and he will be entitled for reinstatement with back wages from the date of reference at the rate at which he was drawing at the time of his retrenchment.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 जनवरी, 1998

का.ग्रा. 401.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल रेलवे, झांसी के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-1-98 को प्राप्त हुआ था।

[संख्या एल-41012/17/94/आईआर(बी-1)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 20th January, 1998

S.O. 401.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway Jhansi and their workman, which was received by the Central Government on the 19-1-98.

[No. L-41012/17/94-IR(B.I.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

I. D. 71/95

In the matter of dispute between :

Surendra Singh, President,
Rashtriya Chaturth Shreni Rail
Mazdoor Congress,
4 Hirapura Nagra, Jhansi

AND

Central Railway, Jhansi.

APPEARANCE :

Sri Surendra Singh for the Union and Sri R.P. Pal for the Railway.

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-41012/17/94-IR(B-1) dated 15-6-95, has referred the following dispute for adjudication to this Tribunal —

Kya Prabandhtantra Divisional Railway Manager, Central Railway Jhansi dwara karmkar Sri Siya Ram Putra Sri Laxmi Prasad ko dinank 16-9-92 ko mislikashit karna aur sewa me nyamit na karna nyayochit hai ? Yadi nahi to sambandhit karmkar kis anutosh ka haqdar hai ?

2. It is unnecessary to give details of the case as after exchange of pleadings the concerned workman did not adduced any evidence. The opposite party railway has also did not adduce any evidence.

4. Hence, reference is answered against the concerned workman for want of proof. Consequently, the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 28 जनवरी, 1998

का.ग्रा. 402.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल रेलवे, झांसी के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-98 को प्राप्त हुआ था।

[संख्या एल-41012/63/91-आईआर. (डी.यू.)/बी-1]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 28th January, 1998

S.O. 402.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway, Jhansi and their workman, which was received by the Central Government on the 27-1-98.

[No. L-41012/63/91-IR(DU)/B.I.]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR,

KANPUR

Industrial Dispute No. 59/92.

In the matter of dispute between :

Adhyksh,

Chaturth Rail Mazdoor Congress
Central Railway
2/236 Namnair
Agra

AND

Senior

D.E.N. Central Railway
Jhansi.

APPEARANCE :

Shri Surender Singh for the workman.
Shri Mrigank Srivastava for the Management.

AWARD

1. Central Government, Ministry of Labour, New Delhi vide its Notification No. L-41012/63/91-IR(DU) dated 6-3-92 has referred the following dispute for adjudication to this Tribunal :

Whether the Sr. Divl. Engineer and Asstt. Engineer (Central) Railway Jhansi and Faridabad were justified in terminating the services of Shri Ram Gopal, s/o Sh. Kharag Singh as Khalasi w.e.f. 17-6-86 ? If not what relief the workman is entitled to ?

2. The case of the concerned workman Ram Gopal is that he was engaged as Khalasi on 24-12-80 by the D.R.M. Central Railway Jhansi. On 16-9-83 his medical examination took place and has been declared medically fit. He had acquired temporary status under Rule 20501 of Railway Establishment Manual. He was hurt on duty and remained under treatment. He was illegally removed from service in breach of provision of Section 25 G&H I.D. Act. Hence his termination is bad.

3. The opposite party has filed reply in which it has been alleged that the concerned workman had not acquired temporary status. He himself stop coming after getting injured.

4. In the rejoinder nothing new has been alleged.

5. In support of his case the concerned workman Ram Gopal WW-1 examined himself. Beside he has filed Ext. W-1 Medical Certificate Ext. W-2 Demand Notice and Ext. W-3 Circular dated 8-6-81. In rebuttal railway has examined S. C. Shukla MW(1).

6. Ram Gopal WW-1 has stated that he was engaged on 24-12-80. He was removed from service from 17-6-86 after completing 120 days. His medical examination had taken place. When he made claim for pay of temporary he was removed from service. In his cross examination he has stated that he was injured. He did not get himself medically treated by Railway Doctor. Instead he had taken private medical treatment.

7. From the above review of oral evidence it will be evident that there is no evidence worth the mae to prove breach of provision of Section 25G, and H I.D. Act. Even there is no evidence of breach of provision of Section 25F I.D. Act.

8. Apart from this I am inclined to belice the evidence of S.C. Shukla MW-1 that after sustaining injuries the concerned workman himself stop coming to office. Otherwise he would have applied for medical leave and the copy of which could have been filed.

9. In view of above discussion my award is that the termination of concerned workman is not bad in law and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 28 जनवरी, 1998

का.आ. 403.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिण रेलवे मद्रास के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, तमिलनाडु, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-98 को प्राप्त हुआ था।

[संख्या एल-41012/111/91-आई.आर. (डि.यू.)/बी]
पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 28th January, 1998

S.O. 403.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Tamil Nadu, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Rly., Madras and their workman, which was received by the Central Government on 27-1-98.

[No. L-41012/111/91-IR(DU)/B.I]
P. J. MICHAEL, Desk Officer

ANNEXURE

**BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU MADRAS**

Tuesday, the 30th day of December 1997

PRESENT:

Thiru S. Ashok Kumar, M Sc., B.L., Industrial Tribunal.

Industrial Dispute No. 4 of 1993

[In the matter of the dispute for adjudication under Section 10(1)(d) of the I.D. Act, 1947 between the Workman and the Management of Southern Railway, Madras-3].

BETWEEN

Shri M. Muthurangam,
C/o. Shri T. Fenn Walter,
No. 161, Thambu Chetty Street,
Madras-1.

AND

The General Manager,
Mill Writ Shop Carriage Works,
Southern Railway,
Park Town,
Madras-600 003.

REFERENCE : Order No. L-41012/111/91-IR (DU), Ministry of Labour, dated 28-12-92 Govt. of India, New Delhi.

This dispute coming on for final hearing on this day, in the presence of Thiru G. Kalyana Sundaram, Advocate appearing for the respondent management, upon perusing the reference, claim and counter statements and all other material papers on record, and the petitioner being absent, this Tribunal passed the following

AWARD

This reference has been made for adjudication of the following issue :

Whether the action of the management of Southern Railway in removing from service Shri M. Muthurangam, Fitter, with effect from 7-5-1979 is legal and justified. If not, to what relief the workman is entitled to ?"

In spite of several opportunities, petitioner is absent. No representation. Dismissed for default.

Dated, this the 30th day of December 1997.

S. ASHOK KUMAR, Industrial Tribunal

नई दिल्ली, 28 जनवरी, 1998

का.आ. 404.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिण रेलवे, मद्रास के प्रबन्धन के संबंध में निदेशों और उनके कर्मचारियों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, तमिलनाडु, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-98 को प्राप्त हुआ था।

[संख्या एल-41012/138/95-आई.आर.(बी-1)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 28th January, 1998

S.O. 404.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Tamil Nadu, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Rly., Madras and their workman, which was received by the Central Government on 27-1-98.

[No. L-41012/138/95-IR(B-I)]

P. J. MICHAEL, Desk Officer.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU MADRAS

Wednesday, the 24th day of December, 1997

PRESENT :—Thiru S. Ashok Kumar, MSc., B.L.,
Industrial Tribunal.

Industrial Dispute No. 97 of 1996

[In the matter of the dispute for adjudication under Section 10(1)(d) of the I.D. Act, 1947 between the Workman and the Management of Southern Railway, Madras].

BETWEEN

Sh. C. Kuppuswamy,
C/o. K. Bhakthavathalu,
No. 51, Muthamman Koil St.,
Madras-600 023.

AND

The General Manager,
Southern Railway,
Mechanical Department,
Madras-600 003.

REFERENCE : Order No. L-41012/138/95-IR(B.I), Ministry of Labour, dated 29-10-96, Govt. of India, New Delhi.

This dispute coming on for final hearing on this day, in the presence of Th. S. B. Bakthavatsalu, Authorised Representative for worker, upon perusing the reference, claim statement and other papers on record, and the respondent being absent and set ex-parte, this Tribunal passed the following.

AWARD

This reference has been made for adjudication of the following issue :

"Whether the action of the management in terminating the services of Shri C. Kuppuswamy, is legal and justified ? If not, to what relief the workman is entitled to ?"

WW1 examined. Ex. W-1 to W-5 marked. claim proved. Award passed. No costs.

Dated, this the 24th day of December, 1997.

S. ASHOK KUMAR, Industrial Tribunal

WITNESSES EXAMINED

For Petitioner:

W.W.1 : Thiru C. Kuppuswamy.

For Management : None.

DOCUMENTS MARKED

For Petitioner:

W-1/30-8-92 : Community certificate issued to petitioner (xerox copy)

W-2/13-10-77 : Extract of Railway Board Orders regarding 15% reservation of vacancies for S.C. workers. (xerox copy)

W-3/27-11-88 : Letter from Divisional Railway Manager removing petitioner's name from list of employees (xerox copy)

W-4/30-11-93 : Copy of Petition filed under Sec. 2A by the petitioner (xerox copy)

W-5/21-6-95 : Conciliation failure report (xerox copy).

नई दिल्ली, 22 जनवरी, 1998

अनुपुची

का.आ. 405.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिरी डोलोमाइट माइन्स के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-1-98 को प्राप्त हुआ था।

[सं. एल-29012/49/94-आई.आर. (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 22nd January, 1998

S.O. 405.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Hirri Dolomite Mines and their workman, which was received by the Central Government on 22-1-98.

[No. L-29012/49/94-IR (Misc.)]

B. M. DAVID, Desk Officer

अनुबन्ध

केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय,
जबलपुर, म.प्र.

डी.एन. दीक्षित,
पीठासीन अधिकारी

[प्र. सं. सी जी आई टी/एलसी (आर) (9)/95]

सचिव,

छत्तीसगढ़ माइन्स श्रमिक संघ,
हिरी डोलोमाइट माइन्स,
पो. हिरी जिला-बिलासपुर (म.प्र.)

वि

माइन्स मैनेजर,
हिरी डोलोमाइट माइन्स,
बिलाई स्टील प्लांट,
पो. हिरी माइन्स जि. बिलासपुर (म.प्र.)

—आर्थी

—प्रतिप्राप्ति

अवार्ड

दिनांकित : 8/01/1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश संख्या एल-29012/49/94-आई.आर. (विविध) दिनांक 3/1/95 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस न्यायालय को प्रेषित किया है :—

Whether the demand of Chhattisgarh Mines Shramik Sangh regarding change of date of Birth of Shri Dhanum S/o Bhagwan Singh, P. No. 831392 from 27-12-37 to 6-7-46 is justified? If not, to what relief the workman is entitled to?

2. अधिक दिनांक 17/9/97 और 16/10/97 को प्रकरण की प्रतियों पर अनुपस्थित रहस है। उसके विरुद्ध एक पक्षीय कार्यवाही दि. 16/10/97 को की गई। दिनांक 16/10/97 से अभी तक श्रमिक या उसके अभिभाषक ने एक पक्षीय कार्यवाही निरस्त करने का आवेदन नहीं दिया है। ऐसा प्रतीत होता है कि श्रमिक को विवाद के निराकरण में कोई रुचि नहीं है।

3. श्रमिक की अनुपस्थिति के कारण इस विवाद का निराकरण प्रबन्धन के पक्ष में किया जाता है। दोनों पक्ष इस प्रकरण को अपना-अपना व्यय वहन करें।

4. नियमानुसार अवार्ड की प्रतियाँ भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती है।

डी.एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 22 जनवरी, 1998

का.आ. 406.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-1-98 को प्राप्त हुआ था।

[सं. एल-32011/4/91-आई.आर. (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 22nd January, 1998

S.O. 406.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workman, which was received by the Central Government on 22-1-98.

[No. L-32011/4/91-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 21 of 1991

Employers in relation to the mangement of Calcutta Port Trust.

AND

Their workmen

PRESENT:

Mr. Justice A. K. Chakarvarty, Presiding Officer

APPEARANCE:

On behalf of Management.—Mr. G. Mukherjee,
Senior Labour Officer (IR).

On behalf of Workmen.—Mr. S. Das, Secretary of
of the Union.

STATE : West Bengal.

INDUSTRY : Port.

AWARD

By Order No. L-32011/491-IR(Misc.) dated 24-7-1991 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Calcutta Port Trust in allowing higher pay scales to the Upper Division (Selection Grade) Clerks and Head Clerks working in Land Manager's Department w.e.f. 1-1-1984 onwards and subsequently refusing the same pay scales to the Upper Division (Selection Grade) Clerks and Head Clerks working in all other departments of the Calcutta Port Trust is justified? If not, what relief the concerned workmen are entitled to?"

2. The union's case, in short, is that the Calcutta Port Trust engages Upper Division (Selection Grade) Clerks and Head Clerks in its different departments under its control and till 31-12-1983 the Upper Division (Selection Grade) Clerks and Head Clerks of the various departments enjoyed the same scale of pay. The job responsibilities of the Upper Division (Selection Grade) Clerks of the various departments are same and that is also true in respect of the Head Clerks of various departments. The Head Clerks and Upper Division (Selection Grade) Clerks are indoor clerical staff. In the Land Manager's Department of Calcutta Port Trust the feeder post of the Upper Division (Selection Grade) Clerks was Premises Surveyor/Junior Inspector before 1-1-1984 and they enjoyed the scale of pay of Rs. 500—1018. The scale of pay of Upper Division (Selection Grade) Clerks of the Calcutta Port Trust before 1-1-84 was Rs. 600—1135 and that of the Head Clerk was Rs. 675—1187. But after revision of scales of pay from 1-1-1984 the scale of pay of Premises Surveyor/Junior Inspector was merged with another higher scale namely, Rs. 560—1202 and revised to Rs. 745—1601 and again revised to Rs. 1240—2560 from 1-1-1988. As such the scale of the Upper Division (Selection Grade) Clerks was revised to Rs. 800—1454 and that of the Head Clerks to Rs. 880—1622 from 1-1-1984. The scale of the feeder post thus became higher than the promotional post, namely, Upper Division (Selection Grade) Clerks and Head Clerks. Upper Division (Selection Grade) Clerks and Head Clerks of the Land Manager's Department accordingly demanded revision of their scale of pay since scale of pay of promotional post cannot be lower than the feeder post. Naturally the Calcutta Port Trust management again revised the scales of pay of Upper Division (Selection Grade) Clerks from Rs. 1300—2460 to Rs. 1300—2600 per month and that of Head Clerks from Rs. 1385—2545 to Rs. 1385—2685 per month and that scale of pay given retrospective effect from 1-1-1984. This benefit,

however, was extended only to the Land Manager's Department depriving the other Upper Division (Selection Grade) Clerks and Head Clerks of all other departments. They accordingly applied for extension of the benefit to them also without any effect. The Calcutta Port Trust management wrote to the Ministry for approval but the Ministry did not approve the case. The union thereafter raised an industrial dispute but the parties having failed to arrive at any settlement, failure of conciliation report was sent to the Labour Ministry and the Labour Ministry accordingly referred the matter to this Tribunal for adjudication. The union accordingly prays that the benefit of the pay scale available to the Upper Division (Selection Grade) Clerks and the Head Clerks of the Land Manager's Department of the Calcutta Port Trust should be given to all incumbents of the said posts in other departments of the Calcutta Port Trust.

3. The Calcutta Port Trust in its written statement has alleged that the terms and conditions of service of the Class-III and Class-IV employees of the port and their wages are decided from time to time under wage settlement arrived at the level of Government of India between the major ports and Dock Labour Boards in India and the Federations of Unions of Port and Dock workers. The subsisting wage settlement was arrived at on 12-6-1989 and the settlement was operative from 1-1-1988 to 31-12-1992. Prior to this, wage settlement dated 11-4-1984 was operative from 1-1-1984 to 31-12-1987. Normal promotional opportunities for the clerical cadre in almost all the departments of the Calcutta Port Trust are from Lower Division Clerk to Upper Division Clerk and from Upper Division Clerk to Upper Division (Selection Grade) Clerk. Promotion to the Head Clerk is made from Upper Division (Selection Grade) Clerks and the Office Superintendent is a promotional post from the Head Clerks.

Prior to the wage settlement dated 11-4-1984 the pay of Lower Division Clerks, Upper Division Clerks, Upper Division (Selection Grade) Clerks, Head Clerks and Office Superintendent were Rs. 425—741, Rs. 480—990, Rs. 600—1135, Rs. 675—1187 and Rs. 900—1300 respectively. Thus, though there was no anomaly in respect of revision of scales of pay of the above employees of the various departments, the promotional channel in the Land Manager's Dept. was a bit different. It was from Lower Division Clerk to Upper Division Clerk to Junior Qtrs. Inspector to Upper Division (Selection Grade) Clerk to Head Clerk/Head Assistant/Qtrs. Inspector and their respective pay scales under the wage settlement dated 11-4-1984 were Rs. 670—1186, Rs. 725—1325, Rs. 745—1601, Rs. 800—1454 and Rs. 880—1542.

The above revision of scales of pay gave rise to an anomaly as the maximum of the scale of pay of the feeder post i.e. the post of Junior Qtr. Inspector became higher than that of the promotional post, namely, Upper Division (Selection Grade) Clerk and the Head Clerk. In view of the aforesaid anomalous position a reference was made to the Government of India and the Government in turn discussed the issue with the federations of the unions of Port and Dock workers and in the consensus arrived at between them it was decided that in order to remove the aforesaid anomalous position the

scale of Rs. 800—1454 and Rs. 880—1542 be extended to Rs. 800—1614 and Rs. 880—1622 in respect of such of the categories who got promotion from the scale of pay of Rs. 745—1601 on personal basis of the incumbent concerned. The management accordingly alleges that with a view to remove the anomalous position in the Land Manager's Department under the Board such elongation of pay scale was allowed as personal to the concerned incumbents of the posts and did not have any general application. By virtue of wage settlement dated 12-6-1989 the scales of pay of Junior Inspector, Upper Division (Selection Grade) Clerk and Head Clerks stood revised to Rs. 1240—2560, Rs. 1300—2600 and Rs. 1385—2685 respectively.

The management has further alleged that the wage settlement arrived at from time to time with the federations of unions of Port and Dock workers are binding on all the employees of the major ports and Dock Labour Boards and the union of the present reference i.e. the National Union of Waterfront Workmen (I) is affiliated to All India Port and Dock Worker's Federation (Workers) was a signatory to the subsisting wage settlement dated 12-6-1989. No issue having been raised in respect of the present dispute in that settlement and the present position of pay scales having been accepted by the union, the reference is misconceived and bad in the eye of law. The management has also taken the plea that the National Union of Waterfront Workmen (I) has not the representative character in respect of the clerical grade staffs of the Calcutta Port Trust. A further plea was taken about the Head Clerks who, it is alleged, are not workmen under section 2(s) of the Industrial Disputes Act, 1947 as they belong to supervisory category and draw salaries more than Rs. 1600 per month. The Board of the Calcutta Port Trust has taken a further plea that the scale of pay of the workmen were fixed not at the instance of the Calcutta Port Trust but by the Government of India in its Ministry of Shipping and Transport (Labour Wing) and accordingly the reference is not maintainable.

4. The union has filed a rejoinder against the written statement of the management wherein it is alleged that personal pay can be allowed to any member of the staff shouldering higher responsibility than his co-workers but a group of employees cannot be given higher scales on personal basis and that too for removing an anomalous position and though All India Port and Dock Worker's Federation (Workers) to which the present union is affiliated was a signatory to the wage settlement dated 12-6-1989, still it would be wrong to conclude that the union accepted the position that there was no anomalous position in respect of the pay scales of the Head Clerks, Upper Division (Selection Grade) Clerks of the Calcutta Port Trust. The union has further alleged that paragraph 20.5 of the settlement dated 12-6-1989 clearly stated that any discrepancy or anomaly will be discussed with the federations and the Government of India. The union denied that it has not the representative character in respect of the clerical cadre employees of the Calcutta Port Trust. The union asserted that the Upper Division (Selection Grade) Clerks and Head Clerks of various departments

stand on the same footing. The union has also alleged that if the job of the Head Clerks is to supervise the works of the clerks under them and if they draw salary more than Rs. 1600 per month that do not debar them for coming under the purview of the Industrial Disputes Act, 1947.

5. Heard Mr. G. Mukherjee, representative of the management and Mr. S. Das, representative of the union.

6. Apart from production of number of documents by both sides, the union examined 2 witnesses and the management only one to prove their respective cases.

7. The present reference is intended to adjudicate upon a dispute in respect of anomaly in pay scales of two different classes of employees, namely, Upper Division (Selection Grade) Clerks and the Head Clerks working under the Calcutta Port Trust. Several preliminary objections having been raised by the management in respect of the maintainability of the reference, it is necessary to discuss those points first before consideration of the parties' cases on merit.

8. The first of such preliminary objections is that the Board of Calcutta Port Trust being not a party to the wage settlement of 1984 and it has only to implement orders of the Government of India issued in this behalf that the Calcutta Port Trust management cannot be held responsible for creating any anomaly in the pay scales of the employees. I find that the disputed anomalous position in respect of the pay scales arose because of the Government of India's decision dated 25th July, 1985, vide Ext. M-8. The order is conveyed by a letter written by the Deputy Secretary to the Government of India, Ministry of Shipping and Transport (Labour Wing) to the Chairman of all major Port Trust, Deputy Chairman of all Dock Labour Boards and the Deputy Chairman of Haldia Dock Complex. This letter shows that the anomalous position was created as the maximum of the promotional post is less than that of the feeder post and, so upon discussions with the representatives of the federation of unions on all India level that the anomaly was sought to be removed by increase of the maximum of the scale of pay of the promotional post to a small extent. The Calcutta Port Trust being bound to implement the said order and actually implemented the said order and it cannot be said to be an action or any action on the part of the Calcutta Port Trust. The reference being intended to consider the action of the Calcutta Port Trust with reference to the creation of any anomalous position by the same, which, in fact, was neither created nor made by it that the reference, as directed, against any action of the Calcutta Port Trust is not maintainable.

9. The second preliminary objection in this matter is that the present union being affiliated to all India Port and Dock Worker's Federation (Workers) and the parent body being a signatory to the wage settlement dated 12-6-1989, the said settlement is binding on them and no objection in respect of the said settlement is maintainable. It was submitted

on behalf of the union that the discussion between the Ministry of Shipping and Transport and the Port and Dock Worker's Federations having taken place on the broad principles of raising of scales of pay, the objection can always be raised in respect of any anomalous position in respect of any particular scale and in paragraph 25 of the said settlement it was clearly stated that anomalies, if any, will be discussed between the federations of unions and the Government of India. I have already mentioned the letter of the Ministry vide Ext. M-8 from which it will appear that with a view to clear anomalous position that the discussions took place and the parties signed the same agreeing to the position stated in the said letter. Further, grievance, if any, in respect of pay scales agreed upon between the Government of India and the federations of unions of Port and Dock Workers can be sorted out by referring the matter to the Government of India and if the position is not settled, the union may take recourse to any action against the Government as it may deem fit and proper. I, therefore, find substantial force in the contention of the representative of the management that it does not lie in the mouth of the present union to ventilate its grievance before this Tribunal as it is precluded from making any such grievance in view of the acceptance of the settlement by its parent body.

10. A third point was also raised by the representative of the management that the present union is not the representative of the clerical cadre of the Calcutta Port Trust employees. I have carefully gone through the evidence on record but I do not find any evidence either in favour or against the said allegation. The representative of the management also submitted before the Tribunal that he is not pressing this point as there is no evidence in this respect. This objection of the management accordingly cannot be entertained.

11. A fourth objection was raised in respect of the Head Clerk's right to come before the Tribunal for redressal of their grievances. It was submitted on behalf of the management that the Head Clerks are employed in supervisory capacity and they draw wages exceeding Rs. 1600/- per month and accordingly under the provisions of section 2(s)(iv) of the Industrial Disputes Act, 1947 they cannot be said to be workman. In spite of the specific allegation from the management in its written statement that the Head Clerks have supervisory duties to discharge and they are drawing pay exceeding Rs. 1600/- per month, there is no denial of the said allegation in the rejoinder filed by the union in this case. From the evidence of W. W. 1. Biswanath Ghosh it appears that as Head Clerk he is required to do supervision of works of the department and keep in touch with the Officers for necessary orders and also signs bills on behalf of the Deputy Chief Officer. He also admitted that the Head Clerks in the Land Manager's Department also perform supervisory work. It also appears from his evidence that the Head Clerks are drawing pay of more than Rs. 1,600 per month. Performance of supervisory work and drawing salary exceeding Rs. 1600 - per month by the Head Clerks of the Calcutta Port Trust having thus been admitted, they are clearly excluded from the definition of workman under

section 2(s) of the Industrial Disputes Act, 1947. The reference is accordingly not maintainable in respect of them.

12. Coming now to the principal question in controversy between the parties namely, whether the Calcutta Port Trust management is bound to maintain pay parity of the Upper Division (Selection Grade) Clerks inter se, the management's case in this matter, as already stated, is that with a view to prevent anomaly of the promotional post having lesser pay scale than the feeder post that a departure from the uniform rule of 'equal pay for equal work' had to be done. In this connection, I am to mention that nothing transpires from the evidence on record that the works of the Upper Division (Selection Grade) Clerks of the Land Manager's Department is different or their nature of duties is more responsible or arduous than others working in the same position in other departments. It is an admitted fact that the anomalous position as stated by the management, was created and that required to be corrected. It is not also denied by the union that the feeder post of Junior Inspector is not existing in any other department, excepting the Land Manager's Department. The maximum of the pay scale of such Junior Inspector was higher than that of its promotional post is also admitted. The feeder scale having a higher maximum than the pay scale of the higher post was possible because of the merger of two pay scales into one. In view of the special circumstances created by the aforesaid anomalous position, the Government of India had to elongate the scale of pay of the Upper Division (Selection Grade) Clerks and the Head Clerks of that department upon consultation with the all India federations of unions of Port and Dock Worker's. It appears that upon consideration of peculiar situation created by such increase in the pay scale of some staff of a particular department, such increased pay scale was not granted to the incumbents of the said posts as a matter of right but only to those who got that promotion in the said department through the feeder post and such pay was directed to be considered as merely personal pay of the incumbents.

13. It is therefore clear that the scale of pay of the Upper Division (Selection Grade) Clerks of the Land Manager's Department of the Calcutta Port Trust really did not undergo any change from the persons similarly situated, but it is only to meet the exigencies of situation that such course was adopted. There being thus a reasonable basis for classification between the two sets of employees similarly situated, the question of applying the principle of 'equal pay for equal work' does not arise.

14. So, upon consideration of all the facts and circumstances of this case and the position of law in this matter, I am of the opinion that the reference is neither (maintainable in law nor tenable on facts). The union accordingly shall not be entitled to any relief in this case.

This is my Award.
Dated : Calcutta,
The 14th January, 1998.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 22 जनवरी, 1998

का. प्र. 407.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार कलकत्ता डॉक लेबर बोर्ड के प्रवर्तन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अन्वय में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-1-98 को प्राप्त हुआ था।

[सं. प्र. - 32011/10/92-आर्.आर (विधि)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 22nd January, 1998

S.O. 407.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Dock Labour Board and their workman, which was received by the Central Government on the 22-1-98.

[No. L-32011/10/92-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 42 of 1993

PARTIES :

Employers in relation to the management of Calcutta Dock Labour Board

AND

Their workman.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCE :

On behalf of Management :

Mr. B. K. Chakraborty, Industrial Relations Officer.

On behalf of Workmen :

Mr. A. Banerjee, General Secretary of the Union.
State : West Bengal. Industry : Port & Dock.

AWARD

By Order No. L-32011/10/92-IR (Misc.) dated 20-10/1-11-1993 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of

the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management regarding clause-3 of duty roster dated 27-11-91 and 27-12-91 is contradictory to the duty manual of zamadar or not ?" and

"Whether the action of the management to change the service condition without giving notice under section 9A to every registered trade union in the establishment is justified or not ? If not to what relief the workman are entitled ?"

2. The instant reference has arisen at the instance of the Calcutta Port & Dock Industrial Workmen Union challenging the action of the management regarding clause 3 of the duty roster dated 27-11-1991 and 27-12-1991. Its case is that the management of Calcutta Dock Labour Board maintains a schedule of employees serving under it and in such schedule there are employees designated as Head Zamadar, Zamadar and Watchman. The management maintains a Watch & Ward Unit to guard the properties of Calcutta Dock Labour Board situated at different zones/areas and such Watch & Ward Unit is comprised of Head Zamadar, Zamadar and Watchman. Calcutta Dock Labour Board framed a duty manual for Watch & Ward staff specifying duties/responsibilities of such staff. Watchman is the base cadre in Watch & Ward Section and Zamadar is a promotional post of Watchman and the post of Head Zamadar is a promotional post of Zamadar. Calcutta Dock Labour Board framed duty rosters of all zones for the month of December 1991 and January 1992 dated 27-11-91 and 27-12-91 respectively. The management under Clause 3 of these duty rosters, had indicated/allocated pattern of duty of Zamadar of Head Office (known as Abdul Hamid Street Office) which was quite different from the duty pattern of Zamadars of other zones. Union alleged that the above pattern of duty in the rosters is not in conformity with the terms of Clause 4 of the duty manual of Zamadars. The union raised an objection against such duty roster but no response having been received from the management in respect of the same, the matter was referred to the conciliation. The matter thereafter being referred to the Government, the present reference case arose.

The union has also alleged that the administrative body of the Calcutta Dock Labour Board, in its notice No. DLB|WW|OT|1 dated 8-6-1992, effected change in the existing service condition of the Watch & Ward Section with effect from 1-7-1992 without, however, serving such notice to all the registered trade unions functioning in the office of the Administrative Body of the Calcutta Dock Labour Board. Violation of the provisions of section 9A of the Industrial Disputes Act, 1947 and Rule 34 of the Industrial Disputes (Central) Rules, 1957 was brought to the notice of the management as a dispute was raised in the matter by the union. The management, having not taken any steps, the matter was ultimately referred to the conciliation which has culminated in the present reference. Both the issues were clubbed together in one reference. The union has accordingly prayed for passing necessary order to make good the loss injury

caused to the workmen on account of the Clause-3 of the duty roster dated 27-11-1991 and 27-12-1991 and also for non-giving of notice No. DLB|WW|OT|I dated 8-6-1992 to the union or the concerned workmen.

3. Calcutta Dock Labour Board has filed a written statement denying the allegations of the union. It has alleged that Md. Salim, Zamadar Watchman was given shift duty in terms of his own written request for his personal convenience and accordingly is stopped from raising any dispute. It is further alleged in the written statement that the Administrative Body of the Calcutta Dock Labour Board approved and issued a circular, vide, its No. DLB|WW|IA dated 13-2-1984, in which in Clause-4 it was stated that on some points where the posting of watchman is more than one and if there is any absence on any point which cannot be filled up from relief/leave reserver, Zamadar should instruct other watchman on duty to look after the work of absentee watchman by reduced manning and if necessary he will himself work on it. He will however bring it to the notice of the Head Zamadar and Section Officer. The Board accordingly submitted that it is merely a stop-gap arrangement to meet the contingency arising out of the absence of the Watchman. The main function of the Zamadar is to supervise the work of the Watchman and to watch the property of the Board in the absence of the Watchman. The management has denied that the duty rosters dated 27-11-1991 and 27-12-1991 were contradictory to each other and Clause-3 of the duty roster is not in conformity with the duty manual of the Zamadars. The management of Calcutta Dock Labour Board has further stated that they have not violated any provision of section 9A of the Industrial Disputes Act, 1947.

4. The union has also filed a rejoinder alleging, inter alia, that the management has violated and contravened the provision of section 9A of the Industrial Disputes Act, 1947 and the Rules made thereunder by not issuing the copy of the notice No. DLB|WW|OT|I dated 8-6-1992 to all the registered trade unions functioning in the establishment, which they are bound to do under the law. The union further alleged that duty of the Zamadar and the Watchman are distinctly different and the Zamadar works in supervisory capacity and normally incumbent of higher post is not engaged to perform the work of lower post, even on receipt of overtime allowance.

5. Heard the representatives of both sides.

6. The duty manual of the Zamadars is produced in this case by the union and it is marked Ext. W-17. The duty roster dated 27-11-1991 and 27-12-1991 were produced by the union and they have been marked Ext. W-13 and W-11 respectively. Clause-3 of the duty roster dated 27-11-1991 runs as follows :

"3. Shri Md. Salim, Zamadar will perform his duty at H.O. from 2 p.m. to 10 p.m. and will work if required against the shortage of one watchman in afternoon shift only and look after the work of watchman of different points twice in a week and report to H.O. (W/Ward) as and when required. He will avail his off-day on every Friday."

The position was slightly altered in the duty roster dated 27-12-1991 which runs as follows :

"3. Shri Md. Salim, Zamadar will perform his duty at H.O. from 10 p.m. to 6 a.m., 2 p.m. to 10 p.m. and 6 a.m. to 2 p.m. and will work if required against the shortage of one watchman in all shifts and look after the work of watchman of different points twice in a week and report to H.O. (Watch & Ward) as and when required. He will avail his off-day on every Friday."

6. The question is whether Clause-3 of the duty rosters run counter or does not correspond to the duty manual of the Zamadars in any way. The relevant arrangement in this matter is to be found in Item No. 4 of the duty manual which runs as follows :

"4. On some points where the posting of Watchman is more than one and if there is any absence in any point which cannot be filled up from Relief/Leave Reserve, he should instruct the other workman-on-duty to look after the work of that absentee Watchman by reduced manning and if necessary, he will himself work after it. He will, however, bring it to the attention of the Head Zamadar and Section Officer (G&S) later on."

7. The union tried to prove its case by citing the case of Md. Salim who was appointed as Zamadar. He was allotted the duty of Watchman in the absence of Watchman on duty at any point. The grievance of the union in this matter is that the Zamadar being holder of a supervisory post cannot be made to perform the work of Watchman and in the absence of Watchman, another Watchman might be engaged to perform such work of the absentee Watchman. According to the union, if Zamadars are allowed to do such duty, the chance of Watchman getting extra remuneration for doing overtime work will be lessened.

According to the management, Mr. Salim consented to perform the service of Watchman though no such consent in writing could be produced. MW-1, sole witness of the management, pleaded his ignorance about whether in the case of any employee, holding higher post agreeing to perform the work of lower post, the pay and allowances of the higher post is reduced to the extent of the pay and allowance of the lower post. This Tribunal is however not concerned about the individual case of Md. Salim because that question is not within the term of reference of this case.

8. The only question for consideration is whether the duty rosters, prescribing duties for the Zamadars and Watchmen, are in conformity with the duty manual. I have already mentioned the duty manual in which it is clearly stated that there is no bar for the Zamadar to perform the work of absentee Watchman, himself. It is true that normally such work should not be done by the Zamadar and it is only in cases where he find it necessary that he himself will work as Watchman. That being so, the allotment of duty in the duty rosters directing Md. Salim, Zamadar to perform the duty of a Watchman, if required, was not at all unjust.

tified and no objection on behalf of the union in this matter can be entertained. The duty rosters and the duty manual thus running in conformity with each other in respect of performance of the duty of a Watchman by a Zamadar in cases of necessity, being thus permissible, the first item of the schedule of reference must be answered in the affirmative and decided in favour of the management.

9. In so far as the second question, namely, whether the change of service conditions of the workman without giving notice to every registered trade union in the establishment was justified or not, I find that the matter relates to issuance of the notice dated 8-6-1992 in which it is stated that "For effecting economy in administrative expenditure, it has been decided that the office of the Board situated at 20B, Abdul Hamid Street, Calcutta-700069; New Call Stand, Dock Eastern Boundary Road, Calcutta-700023 and Call Point, 15, Coal Dock Road, Calcutta-700043 will be attended by a depleted strength of Watch & Ward Staff on Sundays and Holidays since those offices remain closed on Sundays and Holidays and as such, the Watch & Ward staff will be painfully utilised in the normal working days with normal manning. The deployment of pattern of the Watch & Ward staff as also their new Roster Off-days are detailed below." The notice thereafter spelt out deployment of Watch & Ward staff individually.

10. The question is whether this notice was served upon all the trade unions functioning in the establishment. MW-1 in his evidence has stated that the notice was served upon all the recognised trade unions and not on any unrecognised trade union. It further appears from his cross-examination that some of the unrecognised trade unions are also registered trade unions. The point for consideration, accordingly, will be whether the notice to be served on all the trade unions operating in the establishment or service of such notice upon some of the trade unions may be considered due compliance of section 9A of the Industrial Disputes Act, 1947. Section 9A does not make it obligatory upon the management to serve notice upon all the trade unions. It is stated that notice to be served upon those unions, members of which are likely to be affected by the change. Explaining why notice upon some of the unrecognised unions were not served, it was stated that the reasons for such non-service was that if any notice is served upon any such unrecognised union, other unrecognised unions will at once come up and press for issuance of such notice upon them by the management. I find nothing wrong in the explanation given by MW-1. It cannot be gainsaid that those trade unions which has good following must be recognised unions. Unrecognised trade unions are those unions which havenot such following. The section itself having given the management the right of discrimination amongst the unions for the purpose of issuance of notice, I find that the requirement of law was substantially complied with by issuing notice upon the recognised unions. It may be that some of the staff, affected by the notice and belonging to unrecognised union, had not been served with the notice, but that does not, by itself, in my opinion, shall render the notice bad or invalid, unless it can be shown by positive evidence that non-service

of notice upon such union was prejudicial to them. There being no evidence to that effect, I am to hold that the notice issued under section 9A of the Industrial Disputes Act, 1947 was legal, valid and proper and no objection on this account is called for. This issue also must be answered in the affirmative.

11. In view of what goes above, the schedule reference are answered in the affirmative.

This is my Award.

Dated, Calcutta,

The 12th January, 1998.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 22 जनवरी, 1998

का.आ. 408.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हुट्टी गोल्ड माइन्स लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलोर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-1-98 को प्राप्त हुआ था।

[सं. एल-43012/6/93-आई.आर. (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 22nd January, 1998

S.O. 408.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relating to the management of Hutti Gold Mines Ltd., and their workman, which was received by the Central Government on 22-1-1998.

[No. L-43012/6/93-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT AT BANGALORE

Dated the 16th day of January, 1998 Friday

PRESENT :

Sri K. Mohanachandran, B.Sc., B.L.D.L.A.L.
Presiding Officer

Central Reference No. 15/94

I Party

Sri Pollana Reddy.

S/o Govinda Reddy.

Dasaravalli Village,
Dyanahalli post,
Chitradurga.

V.

II Party
The Executive Director,
Hutti Gold Mines Co.
Ltd. Chitradurga,
Copper Unit,
Chitradurga.

Represented by
Sri N.S. Rajaram, Advocate

AWARD

By Order No. L-43012/6/93-IR(Misc.) dated 3-2-1994, the Honourable Central Government had referred this dispute for adjudication under clause (d) of sub-Section (1) and sub-section (2A) of Section 10 of I.D. Act, 1947 (14 of 1947), to this Tribunal.

(2) The point for adjudication as per schedule to reference is as follows :

“Whether the action taken by the management of HGML, in dismissing Sri Pollanna Reddy from the service is justified? If not, what relief the workman is entitled to?”

(3) Notices were issued to both the parties as usual.

(4) The 1st hearing date was fixed by my predecessor on 4-3-1994 as we could see in the notice paper. On the first hearing day itself Sri N.S. Rajaram, Advocate filed vakalath for the 2nd party, whereas the 1st party had not entered his appearance. Hence, for precaution my predecessor himself had sent Registered Notice with Acknowledgement due on 30-3-1994 for appearance of the 1st party on the next hearing date namely 2-5-1994. The abovesaid notice returned with postal endorsement stating that the 1st party namely Sri Pollanna had left the village shown in his address. From the said hearing date onwards till 20-9-1994 my predecessor had given ample opportunities for appearance of the 1st party and filing claim statement. Even subsequently when I took charge, I also granted time for appearance of the 1st party alongwith his claim statement. From 14-3-1996 till 21-6-96 though the 2nd party was representing through their counsel, the 1st party never appeared and nor filed any claim statement. For appearance 347 GI/98—7

of the 1st party alone this Tribunal had granted totally 15 adjournments. But neither the 1st party nor any other representative for him had appeared in the court and filed any claim statement.

5. As per the reference the 1st party address has been given as Sri Pollanna Reddy, Son of Govinda Reddy, Dasaravalli village Dyavarahalli post, Chitradurga. But as I mentioned above inspite of the court notice sent by Registered post to the abovesaid specific address, the 1st party could not receive as he had left the place without any instructions. Since the 1st party himself not cared to appear and file his claim statement, this Tribunal is unable to give its findings on merits of the case. Of course, it is true that the 2nd party was represented by their advertisement. But he had represented that unless and until the 1st party filed his claim statement alleging his case, the 2nd party was not in a position to place their counter case. I find some reasonable force in such representation made by the learned counsel for the 2nd party.

6. Therefore, from the above narrated circumstances, it is clear that the 1st party is not interested in proceedings with the matter further and hence I am of opinion that the reference has to be rejected.

AWARD

7. In the result the Central Reference No. 15/94 is rejected but without cost. Submit to Government.

8. Dictated to Personal Asst. transcribed by him corrected and signed by me on this 16th day of January, 1998 Friday).

K. MOHANACHANDRAN, Presiding
Officer

नई दिल्ली, 23 जनवरी, 1998

का.आ. 409.-- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रवर्धन के संबंध नियोजकों और उनके कर्म-कर्मचारियों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण, अयनमोल के पंचाट को प्रकाशित करनी है, जो केन्द्रीय सरकार को 20-1-98 को प्राप्त हुआ था।

[सं. एन-22012/8/96-आई० आर० (सी-II)]

जी.एम. डी.के. डी.के. अधिकारी

New Delhi, the 23rd January, 1998

S.O. 409.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relating to the management of E.C. Ltd. and their workman, which was received by the Central Government on 20-1-1998.

[No. L-22012/8/96-IR(CII)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL
REFERENCE NO. 1 OF 1997

PRESENT :

Shri R. S. Mishra,
Presiding Officer.

PARTIES :

Employers in relation to the management
of Haripur Colliery of M/s. E. C.
Ltd.,

Their Workmen

AND

APPEARANCES :

For the Employer.—Sri P. K. Das, Advocate.

For the workmen.—Genl. Secretary of
Colliery Mazdoor Union.

Industry : Coal. State : West Bengal.

Dated the 23 12-1997.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/8/96-IR(C.II) dated 27/30-12-1996.

“Whether the action of the management of Haripur Colliery under Kenda Area of M/s. E.C.L. in dismissing the services of Sh. Makbul Mia, Haulage Khalasi and Sh. Samsudding Mia Driller is legal and justified? If not, what relief the workman concerned are entitled?”

2. The General Secretary of the union informs in writing that the dispute has been settled.

3. Hence ‘No Dispute Award’ is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 23 जनवरी, 1998

का.आ. 410—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स एस.ई.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20/1/98 को प्राप्त हुआ था।

[सं. एल-22012/9/90-आई०आर० (सी-II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 23rd January, 1998

S.O. 410.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. S.E.C. Ltd. and their workman, which was received by the Central Government on 20-1-1998.

[No. L-22012/9/90-IR(CII)]

B. M. DAVID, Desk Officer

अनुबन्ध

केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय,
जबलपुर (म.प्र.)
डी. एन. दीक्षित
पीठासीन अधिकारी

प्र. क्र. : सीजीआईटी/एलसी/आर/157/90

सचिव,

संयुक्त सचिव मजदूर संघ (एटक)

ब्रांच आफिस : बंकी मोगरा

पो. बंकी मोगरा जि. बिलासपुर (म.प्र.)

प्रार्थी

वि.

सब एरिया मैनेजर,

एस. ई. सी. एल. कुसमुन्डा प्रोजेक्ट

पो. कुसमुन्डा प्रोजेक्ट,

जिला-बिलासपुर (म.प्र.)

...प्रतिप्रार्थी

अवार्ड

दिनांकित : 08/01/1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश संख्या: एल-22012/9/90-आई.आर. (कोल-2 दिनांक 11/6/90 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस न्यायाधिकरण को भेजा है:—

“Whether the action of the management of Kusmunda Project of M/s. S. E. C. Ltd. in recording the date of birth of Sri Mohd Yassin, Mason as 27-5-30, is justified? If not, to what relief the workman concerned entitled?”

3. दिनांक 16-10-97 को प्रकरण श्रमिक की गवाही के लिए नियत था। इस दिनांक को श्रमिक और उसके गवाह अनुपस्थित हो गए। इस कारण उनके विरुद्ध एकपक्षीय कार्यवाही की गई। दि. 16-10-97 से आज तक श्रमिक या उसके अभिभाषक ने एकपक्षीय आदेश निरस्त करने की प्रार्थना नहीं की है। ऐसा प्रतीत होता है कि श्रमिक को अब विवाद में कोई रुचि नहीं रह गई है।

8. श्रमिक की अनुपस्थिति होने के कारण विवाद का निराकरण प्रबन्धन के पक्ष में किया जाता है। दोनों पक्ष इस प्रकरण को अपना-अपना व्यय वहन करें।

4 नियमानुसार अवार्ड की प्रतियां भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती हैं।

डी.एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 23 जनवरी, 1998

का.आ. 411 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्जन में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20/1/98 को प्राप्त हुआ था।

[मं. एल.-22012/47/92-आई.आर. (सी.-II)]

बी.एम. डेविड, बैंक अधिकारी

New Delhi, the 23rd January, 1998

S.O. 411.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relating to the management of S.E.C. Ltd., and their workman, which was received by the Central Government on the 20-1-1998.

[No. L-22012/47/92-IR(CH)]

B. M. DAVID, Desk Officer

अनुबन्ध

केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय,
जबलपुर म. प्र.

डी.एन. दीक्षित

पीठासीन अधिकारी

प्र.क्रं.सी.जी.आई.टी./एल.सी. (आर.) (120)/92

श्री रंगधर नायक,

एक्स मेकेनिकल हेल्पर केटें 2,

जयनगर, 3/4, इंकलाइन,

क्वाटर नं. 541, पो. विश्रामपुर

जिला सरगुजा-497 226 (म.प्र.)

...प्रार्थी

वि.

सब एरिया मैनेजर,

जयनगर सब एरिया,

पो. विश्रामपुर कालरी,

जिला सरगुजा-497226 (म.प्र.) ... प्रतिप्रार्थी

अवार्ड

दिनांकित 08/01/1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश संख्या: एल-22012/47/97/आई.आर. (सी.-2) दिनांकित 17-6-92 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस न्यायाधिकरण को प्रेषित किया है:—

“Whether the action of Sub-Area Manager, Jainagar Sub-Area of Bistrampur Area of S.E.C.L. Ltd., P.O. Bistrampur, District Surguja in dismissing Shri Rangh Dhar Naik S/o O. U. Naik, Cat. II Mech. Helper, Jainagar 3/4, Incline w.e.f. 17-6-91 is legal and justified? If not, to what relief is the workman entitled to?”

2. दिनांक 20/10/97 को दोनों पक्ष इस प्रकरण की पेशी में अनुपस्थित रहे और आज तक भी कोई पक्षकार या उनके अभिभाषक इस न्यायालय में उपस्थित नहीं हुए। ऐसा प्रतीत होता है कि विवाद के निराकरण में पक्षकारों की रुचि नहीं है।

3. श्रमिक के रुचि नहीं लेने से इस विवाद का निराकरण प्रबन्धन के पक्ष में किया जाता है। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

4. अवाइड की प्रतियाँ नियमानुसार भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती है।

डी. एन दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 23 जनवरी, 1998

का.आ. 412 :—औद्योगिक विवाद अधिनियम, 1947 (1942 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल को पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-1-1998 को प्राप्त हुआ था।

[सं. एल-22012/71/90-आई.आर. (सी.-II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 23rd January, 1998

S.O. 412.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relating to the management of M/s. E.C. Ltd., and their workman, which was received by the Central Government on the 20-1-1998.

[No. L-22012/71/90-IR(CII)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 33 OF 1990

PRESENT :

Shri R. S. Mishra,

Presiding Officer

PARTIES :

Employers in relation to the management of Lower Kenda Colliery of M/s. E.C. Ltd.,

AND

Their Workmen.

APPEARANCES :

For the Employer—Sri P.K. Das Advocate.

For the workmen—Sri M. Mukherjee, Advocate.

Industry : Coal. State : West Bengal.

Dated the 24th Dec., 1997.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(71)/90-IR (C.II) dated 30-7-1990.

“Whether the action of the management of Lower Kenda Colliery of M/s. E.C. Ltd., PO : Kenda, Dist. Burdwan in dismissing Sh. Baidyanath Majhi, Under Ground Loader w.e.f. 4-11-1985 is justified? If not, to what relief is the concerned workman entitled?”

2. Union's Advocate says that the union is no more interested in the dispute.

3. Hence 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 23 जनवरी, 1998

का. आ. 413 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम्.ई.सी.एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-1-98 को प्राप्त हुआ था।

[सं. एल-22012/184/94-आई.आर. (सी.-II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 23rd January, 1998

S.O. 413.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby pub-

lishes the Award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.E.C. Ltd., and their workman which was received by the Central Government on 20-1-1998.

[No. L-22012/184/94-IR (CII)]

B. M. DAVID, Desk Officer

अनुबन्ध

केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय, जबलपुर (म.प्र.)

डी. एन. दीक्षित

पीठासीन अधिकारी

प्र. क्रं.: सी.जी.आई.टी./एल.सी./आर./157/94

अध्यक्ष,

भारतीय खदान मजदूर सभा (बी.एम.एम.)

गेवरा प्रोजेक्ट शाखा,

डाकघर गेवरा प्रोजेक्ट,

जिला-बिलासपुर (म.प्र.)

... प्रार्थी

वि.

जनरल मैनेजर,

साउथ इस्टर्न कोलफील्ड लिमिटेड,

गेवरा प्रोजेक्ट, डाकघर-गेवरा प्रोजेक्ट

जिला बिलासपुर-495452 (म.प्र.)

... प्रतिप्रार्थी

अर्वाई

दिनांक 08-01-1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश संख्या एल-22012/184/94-आई.आर.सी. (2) दिनांक 15-9-94 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस न्यायाधिकरण को प्रेषित किया है—;

"Whether the demand of Bhartiya Khadan Mazdoor Sangh (BMS) for promotion of Shri T. D. Mahant S/o Nanku Das Mahant to the post of E. B. Electrician Group-B w.e.f. 10-3-89 by Gevra Project, SECL is justified? If not, to what relief is the workman entitled to?"

2. दिनांक 30-8-97 को दोनों पक्षों में समझौता हो गया तथा दोनों पक्षों ने विवाद समाप्त होने की घोषणा इस न्यायाधिकरण में की।

3. पक्षकारों के मध्य अब कोई विवाद नहीं है। इस कारण यह प्रकरण समाप्त किया जाता है। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

4. अर्वाई की प्रतियां नियमानुसार भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती है।

डी.एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 23 जनवरी, 1998

का. आ. 414.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन कोलफील्ड लि. के प्रबंधन के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच, अन्वेषण में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-1-98 को प्राप्त हुआ था।

[म. एल-22012/393/93-आई.आर. (सी-II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 23rd January, 1998

S.O. 414.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of N.C. Ltd., and their workman, which was received by the Central Government on 20-1-1998.

[No. L-22012/393/93-IR(CII)]

B. M. DAVID, Desk Officer

अनुबन्ध

केन्द्रीय औद्योगिक न्यायाधिकरण एवं श्रम न्यायालय, जबलपुर

(म. प्र.)

डी. एन. दीक्षित

पीठासीन अधिकारी

प्र. क्रं.: सीजीआईटी/एलसी/आर/177/95

श्री वेद प्रकाश सिंह,

जनरल मजदूर, कैटेगरी-1

द्वारा श्री एम. एल. जैन,

उप-अध्यक्ष, एस. के. एम. एस. (इंटक),

पंचायती मंदिर रोड, गहड़ोल (म.प्र.)

प्रार्थी

वि.

जनरल मैनेजर,

अमलोरी परियोजना

नार्दन कोलफील्ड लि.

पो. अमलोरी कालरी

जिला—सीधी (म.प्र.)

प्रतिप्रार्थी

अर्वाड

दिनांकित 7-1-1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने श्रमिक आदेश सं. एन-22012/393/93/आई. आर. (सी-2) दिनांक 16-3-94 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस न्यायाधिकरण को भेजा है :—

"Whether the action of the General Manager, Amohari Project of NCL in dismissing Shri Ved Prakash Singh, General Mazdoor, Cat. I from Company's services w.e.f. 01-06-1992 is legal and justified. If not, to what relief the workman is entitled to?"

2. दिनांक 6-1-98 को श्रमिक वेद प्रकाश सिंह न्यायालय में उपस्थित हुआ और यह आवेदन दिया कि उसे वर्तमान प्रकरण वापस लेने की अनुमति दी जाए। इस तथ्य के संबंध में श्रमिक से पूछताछ की गई और यह सतुष्टि की गई कि श्रमिक वास्तव में प्रकरण वापस लेना चाहता है।

3. श्रमिक और प्रबंधन ने विवाद न होने से यह प्रकरण निरस्त किया जाता है। दोनों पक्ष इस प्रकरण का अपना-अपना खर्च वहन करें।

4. नियमानुसार अर्वाड की प्रतियां भारत सरकार, श्रम मंत्रालय को प्रेषित की जाती है।

डी. एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 27 जनवरी, 1998

का. अ. 415 :— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारी पानी परियोजना अश्वपुरम (आन्ध्र प्रदेश) के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 27-1-98 का प्राप्त हुआ था।

[स. एन. -42011/14/95-आई. आर. (डी. यू.)]

के. वी. बी. उण्णी, डेस्क अधिकारी

New Delhi, the 27th January, 1998

S.O. 415.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Heavy Water Project, Aswapuram (A.P.) and their workman, which was received by the Central Government on 27-1-98.

[No. L-42011/14/95-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL AT
HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated, 16th day of December, 1997

Industrial Dispute No. 108 of 1996

BETWEEN

The General Secretary, Contract Labour and Daily Wages Workers Union, (INTUC), Aswapuram, (Manugur) District Khammam.

... Petitioner.

AND

The General Manager, Heavy Water Project, Aswapuram (Manugur), District Khammam (A.P.)

... Respondent.

APPEARANCES :

Sri G. Ravi Mohan, Advocate—for the petitioner.

Sri P. Damodar Reddy, Advocate—for the respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi by its Order No. L-42011/14/95-IR(DU) dated 26-7-1995 referred the following dispute u/s. 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication :

"Whether the action of the management of Heavy Water Project in terminating the services of Shri A. Ramulu is legal and justified? If not, to what relief the workman is entitled to?"

Both the parties appeared and filed their pleadings.

(2) The workman concerned to this dispute, hereinafter called as 'Petitioner' filed a claims statement contending as follows :

The petitioner was appointed on 1-11-1983 as a Helper on a monthly wage of Rs. 500 per month. While performing his duties to the satisfaction of his superior, there was a settlement u/s. 12(3) of the I.D. Act between the management and the Heavy Water Plant Contract Workers and Employees Union by which the management agreed to continue the temporary employees till the project is completed. Petitioner was on the rolls of the respondent as on 8-7-1986. But the respondent terminated the services of the petitioner on 30-9-1986. The union filed a Writ Petition No. 14560/86 before the High Court of Andhra Pradesh but it was dismissed with a direction to approach the appropriate Court. The union raised a dispute I.D. No. 55/88 on the file of this Tribunal and this Tribunal passed an Award directing the respondent-Management to reinstate the workman who were mentioned in the reference. The union has not included the name of the petitioner during the conciliation proceedings and so his name does not find a place in the reference made by the Government to this Tribunal. So the petitioner raised this dispute. The petitioner worked for 240 days in a year in between 1-11-1983 to 30-9-1986. The termination of the petitioner is illegal and in violation of the settlement dated 8-7-86 and section 25F of I.D. Act. Hence, the respondent may be ordered to reinstate the petitioner into service with all benefits including the back wages.

(3) The respondent filed a counter contending as follows.---

The petitioner has no locus standi to raise this dispute. The respondent-Department of Atomic Energy (DAE) was established in 1954 by a Presidential Order. The aim of the respondent is using Atomic Energy for electricity generation and other applications, such as in medicine, agriculture, food technology, industry and research. The respondent is engaged in the production of heavy water and it is a sovereign

function. The Supreme Court held that the Telecom Department is not an industry as it is sovereign function and so the I.D. is not maintainable. So this dispute is also not maintainable. The contention of the petitioner that he was appointed as Helper on 1-11-1983 and paid Rs. 500 per month is not correct. The petitioner worked as Casual Labour from 1-9-85. During the initial stages of construction work of the heavy water plant including its housing colony at Aswapuram, number of unskilled, semi-skilled labourers are engaged on casual and purely on temporary basis for attending to various works. The respondent agreed by settlement dated 8-7-86 u/s. 12(3) of the I.D. Act to continue casual labourers without any break till the project was completed or regular appointments were made whichever is earlier. The respondent has not violated the said settlement or the provisions of Section 25-H of I.D. Act. The petitioner did not work for 240 days. The organisation known as Heavy Water Plant Contract Workers and Employees Union (Manuguru) filed a writ petition before the Hon'ble High Court. While the writ petition was pending, the matter was referred to this Tribunal for adjudication. This Tribunal passed an Award in I.D. No. 55/88 on 3-12-1990 with a direction to absorb 185 workers against future vacancies. Many of them were absorbed and 55 employees are yet to be absorbed. They are given temporary status. The petitioner's name does not find a place in the said dispute. The petitioner's claim is a belated and time barred one. The respondent has to provide employment to atleast one member of the family of the land losers due to acquisition of the land. They are still to be accommodated. The writ petition filed by the union was already dismissed by the Hon'ble High Court. Hence, the petitioner is not entitled to any relief.

(4) The petitioner examined himself as WW1. He did not file any document. The Industrial Relations Officer, Scientific Officer, Upper Division Clerk and Sr. Accounts Clerk are examined as MWs. 1 to 4 respectively. They filed Exs. M1 to M19.

(5) The points for consideration are:

- (1) Whether the respondent is justified in terminating the services of the petitioner?
- (2) If not, what relief the workman is entitled to?

(6) Point 1.—The admitted facts of the case are as follows.—The Department of Atomic Energy, Government of India intended to start heavy water project, used for Atomic Energy purpose, in Aswapuram in Khammam District. The Department acquired some Government and Private Lands and started constructions in 1983. The casual labour were employed for construction purposes, for fetching water and other odd jobs. The construction went on upto September, 1986. Almost all the workers were retrenched at that time. The Union raised a dispute No. 55/88 in this Tribunal with regard to the retrenched 185 workers shown in Ex. M4 list. This Tribunal passed Ex. M5 Award dated 3-12-1990 directing the respondent to absorb 185 workmen into future vacancies. The respondent absorbed only 130 casual labour into regular vacancies. The Government of India passed Ex. M6 order giving temporary status for the remaining 55 persons. The petitioner was not absorbed in pursuance to the earlier Award of this Tribunal as his name does not find a place in the Award. So the petitioner approached the Assistant Labour Commissioner (Central), Vijavawada on 11-11-1994 as evidenced by Ex. M3 failure report dated 27-2-1995. This reference was made on 26th July, 1995 but received in this Tribunal on 12-8-1996.

(7) There was some agreement u/s. 12(3) of the I.D. Act in between the Union and the Management on 8-7-86 as referred to in the pleadings. Some how both the parties have not adverted to the same at all in the evidence. It was not relied upon by the workman also.

(8) The present grievance of the petitioner is that though he worked 240 days, he retrenched without following the provisions of Section 25F of the I.D. Act. The contention of the respondent is that the petitioner worked for less than 240 days and so he is not entitled to any relief though the respondent submitted that the petitioner was disengaged as casual labour from 30-9-1986.

(9) The respondent filed Ex. M2 statement showing the attendance particulars of such workman that worked upto 30-9-86, said to have been prepared by MW3 a U. D. Clerk, at the instance of Mr. Stefen Balasundaram the then Administrative Officer. It was found that the paid holidays and Sundays were not included in the number of days each workman worked therein, on comparing the statement with the nominal muster rolls which contain the name of the workman, number of days he worked and the wages paid to him and filed into Court. So the respondent prepared Ex. M19 another statement showing the particulars of attendance of each casual labour from November, 1983 to September, 1986 including the working days and paid holidays. The respondent though exhibited some of the Muster Rolls, produced almost all the muster rolls from November, 1983 when the respondent started to engage casual labour to September, 1986. Some muster rolls showed that some of the workman worked in October, 1986 also. The Muster Rolls for April, 1984, December, 1984 and August and September, 1986 were not produced. There is vast difference between Ex. M2 statement prepared by MW3 in 1986 or 1988 and Ex. M19 statement prepared by MW4 during the pendency of this dispute. So this Tribunal verified all the muster rolls which are marked and unmarked. They were made available for perusal of the counsel for the petitioner. The details of the number of days worked by the petitioner as per Ex. M2 and Ex. M19 and verification by this Tribunal are as follows:

11/83 12/83 1/84 2/84 3/84 4/84 5/84 6/84 87/48/84
9/84 10/84 11/84 12/84.
1/85 2/85 3/85 4/85 5/85 6/85 7/85 8/85 9/85 10/85
11/85 12/85.

1/86 2/86 3/86 4/86 5/86 6/86 7/86 8/86 9/86

As per Ex. M2 Statement prepared by MW3

21—25 27—27—23 26 25 23—26 26 249

As per Ex. M19 Statement Prepared by MW 4

—8—22 27 31 28 31—31—

On Verification by this Tribunal as per Available Muster Rolls.

The above particulars are tallied. August and September, 1986 muster rolls are not filed

It can be seen from the above statement, available muster rolls, and the statements filed by the management witness, that the petitioner did not work 240 days in any year. He did not work for 240 days in the year preceding 30-9-1986, on which date the petitioner was admittedly retrenched. The petitioner worked only 249 days from 1-7-85 to 30-9-86 as per Ex. M2 and 178 days as per Ex. M19 statement. So the petitioner is not entitled to any relief as he has not worked 240 days in the preceding year 30-9-1986.

(10) Point No. 2.—In the result, an award is passed holding that the petitioner A. Ramulu is not entitled to any relief.

Dictated to the steno-typist, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal this the 16th day of December, 1997.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness examined
for the petitioner:

WW1—A. Ramulu

MW1—G. K. Sahu.

MW2—Pasupathi Rao.

MW3—T. Purnachandra Rao.

MW4—M. P. Jayaprasad.

Witnesses examined
for the respondent:

Documents marked for the petitioner:

NIL.

Documents marked for the respondent:

Ex. M1—Wages register for the month of January 1986 (Wage Sheet).

Ex. M2—Xerox copy of statement of working days particulars.

Ex. M3—Failure report dated 27-2-95.

Ex. M4—List of casual employees engaged in HWP(M).

Ex. M5—Award dated 3-12-90 in I.D. No. 55/88.

Ex. M6—Order of the Government regarding the grant of temporary status.

Ex. M7—Xerox copy of the order dated 3-4-89 in WP 14560/86.

Ex. M8—Xerox copy of the order dated 11-4-89 in WP No. 14602/86.

Ex. M9—Minutes of conciliation dated 8-7-86 (xerox copy).

Ex. M10—Xerox copy of measurement book.

Ex. M11—Xerox copy of measurement book.

Ex. M12—Xerox copy of measurement book.

Ex. M13—Tender schedule.

Ex. M14—Xerox copy of Muster Roll for the period December, 1983.

Ex. M15—Xerox copy of Muster Roll for the period June, 1985.

Ex. M16—Xerox copy of Muster Roll for the period July, 1985.

Ex. M17—Xerox copy of Muster Roll for the period August, 1985.

Ex. M18—Xerox copy of Muster Roll for the period November, 1983.

Ex. M19—Xerox copy of the working days particular of WW1 and others.

नई दिल्ली, 27 जनवरी, 1998

का. आ. 416.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारी पानी परियोजना, आस्वापुरम (आन्ध्र प्रदेश) के प्रबन्धन के संतुष्ट नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-98 को प्राप्त हुआ था।

[सं. एल.-42011/15/95-आई. आर. (डी. यू.)]
के. वी. डी. उन्नी, डेस्क अधिकारी

New Delhi, the 27th January, 1998

S.O. 416.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Heavy Water Project Aswapuram (A.P.) and their workman, which was received by the Central Government on 27-1-98.

[No. L-42011/15/95-IR(DU)]
K. V. D. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT:

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I,
Hyderabad, 16th day of December, 1997
Industrial Dispute No. 109 of 1996

BETWEEN

The General Secretary, Contract
Labour and Daily Wages Workers
Union (TNTUC), Aswapuram
(Manugur), District Khammam. . . Petitioner.

AND

The General Manager, Heavy
Water Project, Aswapuram (Manugur),
District Khammam, (AP). . . Respondent.

APPEARANCES:

Sri Ravi Mohan, Advocate—for the Petitioner.

Sri P. Damodar Reddy, Advocate—for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi, by its Order No. L-42011/15/95-IR(DU) dated 26-7-1995 referred the following dispute under Sections 10(1)(d) and 2A of Industrial Disputes Act, 1947, for adjudication:

"Whether the action of the management of Heavy Water Project in terminating the services of Shri B. Veera Bhadra Rao is legal and justified? If not, to what relief the workman is entitled to?"

Both the parties appeared and filed their pleadings.

2. The workman concerned to this dispute, hereinafter called as 'Petitioner' filed a claims statement contending as follows.—The petitioner was appointed on 1-11-1983 as a Helper on a monthly wage of Rs. 500 per month orally. While performing his duties to the satisfaction of his superior, there was a settlement under Section 12(3) of the I.D. Act between the management and the Heavy Water Plant Contract Workers and Employees Union by which the management agreed to continue the temporary employee till the project is completed. The petitioner was on the rolls of the respondent as on 8-7-1986. But the respondent terminated the services of the petitioner on 30-9-1986. The union filed a Writ Petition No. 14560/86 before the High Court of Andhra Pradesh but it was dismissed with a direction to approach the appropriate Court. The union raised a dispute I.D. No. 55/88 on the file of this Tribunal and this Tribunal passed an Award directly the respondent-Management to reinstate the workmen who were mentioned in the reference. The union has not included the name of the petitioner during the conciliation proceedings and so his name does not find a place in the reference made by the Government to this Tribunal. So the petitioner raised this dispute. The petitioner worked for 240 days in a year in between 1-11-1983 to 30-9-1986. The termination of the petitioner is illegal and in violation of the settlement dated 8-7-86 and Section 25-F of I.D. Act. Hence the respondent may be ordered to reinstate the petitioner into service with all benefits including back wages.

3. The respondent filed a counter contending as follows.—The petitioner has no locus standi to raise this dispute. The respondent-Department of Atomic Energy (DAE) was established in 1954 by a Presidential Order. The aim of the respondent is using Atomic Energy for electricity generation and other applications, such as in medicine, agriculture, food technology, industry and research. The respondent is engaged in the production of heavy water and it is a sovereign function. The Supreme Court held that the Telecom Department is not an industry as it is sovereign function and so the I.D. is not maintainable. So this dispute is also not maintainable. The contention of the petitioner that he was appointed as Helper on 1-11-1983 and paid Rs. 500 per month is not correct. The petitioner worked as casual labour from 1-7-85. During the initial stages of construction work of the heavy water plant including its housing colony at Aswapuram number of unskilled, semi-skilled/skilled labourers were engaged on casual and purely on temporary basis for attending to various works. The respondent agreed by settlement dated 8-7-86 (U/s. 12(3) of I.D. Act to continue casual labour without any break till the project was completed or regular appointments were made whichever is earlier. The respondent has not violated the said settlement or the provisions of

Section 25-F of I.D. Act. The petitioner did not work for 240 days. The organisation known as Heavy Water Plant Contract Workers and Employees Union (Manugur) filed a Writ Petition before the Hon'ble High Court. While the writ petition was pending, the matter was referred to this Tribunal for adjudication. This Tribunal passed an Award in I.D. No. 55/88 on 3-12-1990 with a direction to absorb 185 workers against future vacancies. Many of them were absorbed and 55 employees are yet to be absorbed. They are given temporary status. The petitioner's name does not find a place in the said dispute. The petitioner's claim is a belated and time barred one. The respondent has to provide employment to atleast one member of the family of the land losers due to acquisition of the land. They are still to be accommodated. The petitioner also filed I.D. No. 85/96 in the Industrial Tribunal-cum-Labour Court at Warangal. He cannot raise this dispute. The writ petition filed by the union was already dismissed by the Hon'ble High Court. Hence the petitioner is not entitled to any relief.

4. The petitioner examined himself as W.W.1. He did not file any document. The Industrial Relation Officer, U.D. Clerk and Senior Accounts Clerk are examined as M.Ws. 1 to 3, respectively. They filed Exs. M1 to M16.

5. The points for consideration are :

(1) Whether the respondent is justified in terminating the services of the petitioner ?

(2) If not, to what relief, the workman is entitled to ?

6. Point 1.—The admitted facts of the case are as follows.—The Department of Atomic Energy, Government of India intended to start Heavy Water Project, used for Atomic Energy purpose, in Aswapuram in Khammam District. The Department acquired some Government and Private Lands and started constructions in 1983. The casual labour were employed for construction purpose, for fetching water and other odd jobs. The construction went on upto September, 1986. Almost all the workers were retrenched at that time. The union raised a dispute I.D. No. 55/88 in this Tribunal with regard to the retrenched 185 workers shown in Ex. M3 list. This Tribunal passed Ex. M4 Award dated 3-12-1990 directing the respondent to absorb 185 workmen into future vacancies. The respondent absorbed only 130 casual labour into regular acancies. The Government of India passed Ex. M5 order giving temporary status for the remaining 55 persons. The petitioner was not absorbed in pursuance to the earlier award of this Tribunal as his name does not find place in the Award. So the petitioner approached the Assistant Labour Commissioner (Central), Vijayawada on 11-11-94 as evidenced by Ex. M9 failure report dated 27-2-1995. This reference was made on 26-7-1995 but received in this Tribunal on 12-8-1996. Meanwhile the petitioner filed an I.D. No. 85/96 in Industrial Tribunal at Warangal. The learned counsel for the petitioner represented that subsequent to the present reference to this Tribunal, the petitioner withdrew the I.D. No. 85/96 on the file of Industrial at Warangal.

7. There was some agreement under Section 12(3) of the I.D. Act in between the Union and the Management on 8-7-86 as referred to in the pleadings. Some how both the parties have not adverted to the same at all in the evidence. It was not relied upon by the workman also.

8. The present grievance of the petitioner is that though he worked 240 days, he was retrenched without following the provisions of Section 25-F of the I.D. Act. The contention of the respondent is that the petitioner worked for less than 240 days and so he is not entitled to any relief, though the respondent admitted that the petitioner was disengaged as casual labour from 30-9-1986.

9. The respondent filed Ex. M2 statement showing the attendance particulars of each workman that worked upto 30-9-1986, said to have been prepared by M.W. 2 a U.D. Clerk, at the instance of Mr. Stefen Balasundaram the then Administrative Officer. It was found out that the paid holidays and Sundays were not included in the number of days each workman worked therein, on comparing the statement with the nominal muster rolls which contain the name of the workman, number of days he worked and the wages paid to him and filed into Court. So the respondent prepared Ex. M16 another statement showing the par-

ticulars of attendance of each casual labour from November, 1983 to September, 1986 including the working days and paid holidays. The respondent though exhibited some of the Muster Rolls, produced almost all the muster rolls are from November, 1983 when the respondent started to engage casual labour to September, 1986. Some Muster Rolls showed that some of the workmen worked in October, 1986 also. The Muster Rolls for April, 1984, September, 1984 and August and September, 1986 were not produced. There is vast difference between Ex. M2 statement prepared by M.W.2 in 1986 or 1988 and Ex. M16 statement prepared by M.W.3 during the pendency of this dispute. So this Tribunal verified all the muster rolls which are marked and unmarked. They were made available for perusal of the counsel for the petitioner. The details of the number of days worked by the petitioner as per Ex. M2 and Ex. M16 and verification by this Tribunal are as follows :

57 to 158

11/83 12/83

1/84 2/84 3/84 4/84 5/84 6/84 7/84 8/84 9/84 10/84

11/84 12/84

1/85 2/85 3/85 4/85 5/85 6/85 7/85 8/85 9/85 10/85

11/85 12/85.

1/86 2/86 3/86 4/86 5/86 6/86 7/86 8/86 9/86 TTL

At per Ex. M2 Statement prepared by MW2.

—27 27 14—26 27 27 25 27 26—26 27—26 305

As per Ex. M 16 Statement prepared by MW3

27 14 30 31—31—15—29 31—31—239

On verification by this Tribunal as per available Muster Rolls.

The above particulars are tallied with.

It can be seen from the above statement, available muster rolls and the statements filed by the management witnesses that the petitioner worked for 305 days as per Ex. M2 Statement and for 239 days as per Ex. M16 statement prepared by M.W. 2 and M.W. 3 respectively. After verification of both the statements (Exs. M2 and M16) the petitioner worked only 237 days as per Ex. M2 statement in the year preceding 30-9-1986. If the Sundays and Holidays are included, he worked more than 240 days in the preceding year 30-9-1986. It is found that the petitioner worked more than 240 days in preceding 30-9-86. So the termination is illegal and Section 25-F was not followed as notice pay and retrenchment compensation were not paid.

10. POINT NO. 2 :—Since the retrenchment is illegal, the petitioner is entitled to reinstatement and other benefits in the usual course. But the compensation is more reasonable relief than the reinstatement in the circumstances of the case. The Industry was started by the Central Government in the interest of nation. It fixed the required staff and filled up the posts. The Respondent has already provided regular jobs to 130 workers and temporary status to 55 workers as per earlier Award of this Tribunal. The respondent has also to provide a job to a member of each of the families of the land losers. The Central Government sanctioned fixed strength of staff, the officers and the workmen to the Respondent. This Tribunal cannot mulct the respondent with the workmen though they have no work. If the petitioner and similarly situated workmen are thrust upon the respondent a large chunk of the funds allotted to the respondent for manufacture of heavy water, will be used to pay the wages. Besides, the petitioner raised a dispute more than 8 years after the retrenchment. In the said circumstances, an Award is passed directing the respondent to pay an amount of Rs. 10,000/- as compensation to the petitioner. The petitioner is entitled to interest at 12 per cent per annum from one month after publication of the Award.

Dictated to the Steno-typist, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 16th day of December, 1997.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

New Delhi, the 27th January, 1998

Witness examined for

Petitioner

WW1 : B. Veera Bhadra
Rao.

Witness examined for

Respondent

MW1 : G. K. Sahu

MW2 : T. Poornachandra
Rao

MW3 : M. P. Jayaprasad

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

Ex. M1 : Attendance in July, 85 of the petitioner
(xerox copy).

Ex. M2 : Xerox copy of working days particulars.

Ex. M3 : List of casual employees employed in
H.W.P.

Ex. M4 : Xerox copy of the Award in ID No. 55/88.

Ex. M5 : Order conferring temporary status to the 55
workmen.

Ex. M6 : Copy of order in WP No. 14560/86.

Ex. M7 : Copy of order in WP No. 14602/86.

Ex. M8 : Minutes of the conciliation.

Ex. M9 : Failure report dt. 7-2-95.

Ex. M10 : Xerox copy of the Muster Roll for No-
vember, 1983.Ex. M11 : Xerox copy of the Muster Roll for Decem-
ber, 1983.Ex. M12 : Xerox copy of Muster Roll for the period
March, 1985.Ex. M13 : Xerox copy of Muster Roll for the period
April, 1985.Ex. M14 : Xerox copy of Muster Roll for the period
May, 1985.Ex. M15 : Xerox copy of Muster Roll for the period
Sept. 1985.Ex. M16 : Working days particulars showing the
working days of WW1 and others.

नई दिल्ली, 27 जनवरी, 1998

का. धा. 417.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारी पानी परियोजना, अश्वपुरम (आन्ध्र प्रदेश) के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-98 को प्राप्त हुआ था।

[सं. एल.-42011/27/95-आई आर (जी. यू.)]

के. वी. बी. उप्पी, डैस्क अधिकारी

S.O. 417.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Heavy Water Project, Aswapuram (A.P.) and their workman, which was received by the Central Government on 27-1-98.

[No. L-42011/27/95-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT
HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I

Dated, 16th day of December, 1997

Industrial Dispute No. 110 of 1996

BETWEEN :

The General Secretary, Contract Labour and
Daily Wages Workers Union (INTUC) Aswapuram,
(Manugur) Distt. Khammam. Petitioner.

AND

The General Manager, Heavy Water Project,
Aswapuram (Manugur) Dist. Khammam (A.P.).
..... Respondent.

APPEARANCES :

Sri G. Ravi Mohan, Advocate—for the Petitioner.

Sri P. Damodar Reddy, Advocate—for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi by its Order No. L-42011/27/95-IR(DU) dt. 26-7-1995, referred the following dispute under Section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication :—

"Whether the action of the management of Heavy Water Project in terminating the services of Shri G. China Veeraiah is legal and justified? If not, to what relief the workman is entitled to?"

Both the parties appeared and filed their pleadings.

2. The workman connected to this dispute, hereinafter called as 'Petitioner' filed a Claims Statement contending as follows :—

The petitioner was appointed on 1-11-1983 as a Helper on a monthly wage of Rs. 500/- per month orally. While performing his duties to the satisfaction of his superior, there was a settlement under Section 12(3) of the I.D. Act between the management and the Heavy Water Plant Contract Workers and Employees Union by which the management agreed to continue the temporary employees till the project is completed. The petitioner was on the rolls of the respondent as on 8-7-1986. But the respondent terminated the services of the petitioner on 30-9-1986. The union filed a writ petition No. 14560/86 before the High Court of Andhra Pradesh, but it was dismissed with a direction to approach the appropriate Court. The Union raised a dispute ID No. 55/88 on the file of this Tribunal. This Tribunal passed an Award directing the respondent-Management to reinstate the workmen who were mentioned in the reference. The union has not included the name of the petitioner during the conciliation proceedings and so

his name does not find a place in the reference made by the Government to this Tribunal. So the petitioner raised this dispute. The petitioner worked for 240 days in a year in between 1-11-1983 and 30-9-1986. The termination of the petitioner is illegal and in violation of the settlement dt. 8-7-1986 and Section 25-F of I.D. Act. Hence the respondent may be ordered to reinstate the petitioner into service with all benefits including the back wages.

3. The respondent filed a counter contending as follows :

The petitioner has no locus standi to raise this dispute. The respondent-Department of Atomic Energy (DAE) was established in 1954 by a Presidential Order. The aim of the respondent is using Atomic Energy for electricity generation and other applications, such as in Medicine, Agriculture, Food technology, industry and research. The Respondent is engaged in the production of heavy water and it is a sovereign function. The Supreme Court held that the Telecom Department is not an industry as it sovereign function and so the I.D. is not maintainable. So this dispute is also not maintainable. The contention of the petitioner that he was appointed as Helper on 1-11-1983 and paid Rs. 500/- per month is not correct. The petitioner worked as casual labour from 1-9-86. During the initial stages of construction work of the Heavy Water Plant including its housing colony at Aswapuram, number of skilled/semi-skilled/skilled labourers are engaged on casual, purely on temporary basis for attending to various works. The respondent agreed by settlement dt. 8-7-86 U/s. 12(3) of I.D. Act to continue casual labourers without any break till the project was completed or regular appointments were made whichever is earlier. The respondent has not violated the said settlement or the provisions of Section 25-F of I.D. Act. The petitioner did not work for 240 days. The organisation known as Heavy Water Plant Contract Workers and Employees Union (Manugur) filed a Writ Petition before the Hon'ble High Court. While the writ petition was pending, the matter was referred to this Tribunal for adjudication. Then the Hon'ble Court dismissed the said writ petition. This Tribunal passed an Award in I.D. No. 55/88 on 3-12-1990 with a direction to absorb 185 workers against future vacancies. Many of them were absorbed and 55 employees are yet to be absorbed. They are given temporary status. The petitioner's name does not find a place in the said dispute. The petitioner's claim is a belated and time barred one. The respondent has to provide employment to atleast one member of the family of the land losers due to acquisition of the land. They are still to be accommodated. The petitioner also filed an I.D. No. 86/96 in the Industrial Tribunal-cum-Labour Court at Warangal. He cannot raise this dispute. The writ petition filed by the union was already dismissed by the Hon'ble High Court. Hence the petitioner is not entitled to any relief.

4. The petitioner examined himself as W.W.1. He did not file any document. The Industrial Relation Officer, U.D. Clerk and Sr. Accounts Clerk are examined as M.Ws. 1 to 3 respectively. They filed Exs. M1 to M13.

5. The points for consideration are :

- (1) Whether the respondent is justified in terminating the services of the petitioner ?
- (2) If not, to what relief the workman is entitled to ?

6. Point 1 : The admitted facts of the case are as follows.— The Department of Atomic Energy, Government of India intended to start Heavy Water Project, used for Atomic Energy purpose, in Aswapuram in Khammam District. The Department acquired some Government and Private Lands and started constructions in 1983. The casual labour were

employed for construction purpose, for fetching water and other odd jobs. The construction went on upto September, 1986. Almost all the workers were retrenched at that time. The Union raised a dispute I.D. No. 55/88 in this Tribunal with regard to the retrenched 185 workers shown in Ex. M2 List. This Tribunal passed Ex. M3 Award dated 3-12-1990 directing the respondent to absorb 185 workmen into future vacancies. The respondent absorbed only 130 casual labour into regular vacancies. The Government of India passed Ex. M5 order giving temporary status for the remaining 55 persons. The petitioner was not absorbed in pursuance to the earlier award of this Tribunal as his name does not find a place in the Award. So the petitioner approached the Assistant Labour Commissioner (Central), Vijayawada on 11-11-1994 as evidence by Ex. M4 Failure report dt. 27-2-95. This reference was made on 26-7-1995 but received in this Tribunal on 12-8-1996. Meanwhile the petitioner raised dispute I.D. No. 86/96 in the Industrial Tribunal at Warangal U/s. 2A-2 of I.D. Act. The learned counsel for the petitioner represented that subsequent to the present reference to this Tribunal, the petitioner withdrew the said I.D. No. 86/96 on the file of Industrial Tribunal at Warangal.

7. There was some agreement U/s. 12(3) of the I.D. Act in between the Union and the Management on 8-7-86 as referred to in the pleadings. Some how both the parties have not adverted to the same at all, in the evidence. It was not relied upon by the workman also.

8. The present grievance of the petitioner is that though he worked for 240 days, he was retrenched without following the provisions of Section 25F of the I.D. Act. The contention of the respondent is that the petitioner worked for less than 240 days and so he is not entitled to any relief, though the respondent admitted that the petitioner was disengaged as casual labour from 30-9-1986.

9. The respondent filed Ex. M1 statement showing the attendance particulars of each workman that worked upto 30-9-86, said to have been prepared by MW2 at the instance of Mr. Stefan Balasundaram the then Administrative Officer. It was found out that the paid Holidays and Sundays were not included in the number of days each workman worked therein on comparing the statement with the nominal muster rolls which contain the name of the workman, number of days he worked and the wages paid to him and filed into court. So the respondent prepared Ex. M13 another statement showing the particulars of attendance of each casual labour from November, 1983 to September, 1986 including the working days and paid holidays. The respondent exhibited some of the muster rolls from November, 1983; when the respondent started to engage casual labour to September, 1986. Some muster rolls showed that some of the workmen worked in October, 1986 also. The Muster Rolls for April, 1984 and December, 1984 and August and September, 1986 are not produced. There is vast difference between Ex. M1 statement prepared by MW2 in 1986 or 1988 and Ex. M13 statement prepared by MW3 during the pendency of this dispute. So this Tribunal verified all the muster rolls which are marked and unmarked. They were made available for perusal of the counsel for the petitioner. The details of the number of days worked by the petitioner as per Ex. M1 and Ex. M13 and verification by this Tribunal are as follows :

11/83 12/83 1/84 2/84 3/84 4/84 5/84 6/84/7/84 TTL
8/84 9/84 10/84 11/84 12/84.
1/85 2/85 3/85 4/85 5/85 6/85 7/85 8/85 9/85 10/85
11/85 12/85

1/86 2/86 3/86 4/86 5/86 6/86 7/86 8/86 9/86

As per Ex. M 1 Statement prepared by MW 2

—10 26 27 26 27 27 26

169

As per Ex. M 13 Statement prepared by MW 3

—31—31

On verification by this Tribunal on Available Muster Rolls.

The above particulars are tailed with.

It can be seen from the above statement, available muster rolls and the statements filed by the management witnesses, that the petitioner did not work 240 days in any year. He did not work for 240 days in the year preceding 30-9-1986, on which date the petitioner was admittedly retrenched. The petitioner worked only 169 days as per Ex. M1 statement and 31 days as per Ex. M13 statement.

10. Point No. 2 : In the result, an Award is passed holding that the petitioner G. China Veeraiah is not entitled to any relief.

Dictated to the Steno-typist, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal this the 16th day of December, 1997.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness examined for the Petitioner : Witness examined for the Respondent :

WW1 : China Veeraiah.

MW1 : G. K. Sabu.
MW2 : T. Poornachandra
MW3 : M. P. Jayaprasad.

Documents marked for the Petitioner :

NIL

Documents marked for the Respondent :

- Ex. M1 : Xerox copy of the statement of working days particulars.
- Ex. M2 : List of casual employees engaged in HWP.
- Ex. M3 : Award of this Tribunal in I.D. No. 55/88.
- Ex. M4 : Failure Report dated 27-2-95.
- Ex. M5 : Xerox copy of the order regarding temporary status to workmen.
- Ex. M6 : Order dated 3-4-89 in WP No. 14560/86.
- Ex. M7 : Order in WP No. 14602/86.
- Ex. M8 : Xerox copy of the minutes of conciliation.
- Ex. M9 : Xerox copy of Muster Roll for July, 1986.
- Ex. M10 : Xerox copy of Muster Roll for November, 1983.
- Ex. M11 : Xerox copy of Muster Roll for December, 1983.
- Ex. M12 : Xerox copy of Muster Roll for July, 1986.
- Ex. M13 : Statement showing the working days particulars.

नई दिल्ली, 27 जनवरी, 1998

का. अ. 418.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारी पानी परियोजना, अश्वपुरम (आन्ध्र प्रदेश) के प्रबन्धसम के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-98 को प्राप्त हुआ था।

[सं. एल.-42011/30/95-आई. आर. (जी. यू.)]
के. वी. वी. उन्नी, डेस्क अधिकारी

New Delhi, the 27th January, 1998

S.O. 418.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Heavy Water Project, Aswapuram (A.P.) and their workman, which was received by the Central Government on 27-1-1998.

[No. L-42011/30/95-IR (DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated, 16th day of December, 1997

Industrial Dispute No. 113 of 1996

BETWEEN

The General Secretary, Contract Labour and Daily Wages Workers Union (TNTUC) Aswapuram (Manugur) Distt. Khammam. ..Petitioner.

AND

The General Manager, Heavy Water Project Aswapuram (Manugur) Dist. Khammam (A.P.) ..Respondent

APPEARANCES :

Sri G. Ravi Mohan, Advocate—for the Petitioner.

Sri P. Damodar Reddy, Advocate—for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi, by its Order No. L-42011/30/95-IR (DU) dated 26-7-1995, referred the following dispute under Section 10(1)(d) and 2-A of Industrial Disputes Act, 1947 for adjudication :

"Whether the action of the management of Heavy Water Project in terminating the services of Shri A. Venkanna is legal and justified? If not, to what relief the workman is entitled to "

Both the parties appeared and filed their pleadings.

2. The workman connected to this dispute, hereinafter called as 'Petitioner' filed a claims statement contending as follows :

The petitioner was appointed on 1-11-1983 as a Helper on a monthly wage of Rs. 500 per month orally. While performing his duties to the satisfaction of his superior, there was a settlement under Section 12(3) of the I. D. Act between the management and the Heavy Water Plant Contract Workers and Employees Union by which the management agreed to continue the temporary employees till the project is completed. The petitioner was on the rolls of the respondent as on 8-7-1986. But the respondent terminated Writ Petition No. 14560/86 before the High Court of Andhra Pradesh but it was dismissed with a direction to approach the appropriate Court. The union raised a dispute I. D. No. 55/88 on the file of this Tribunal. This Tribunal passed an Award directing the respondent-Management to reinstate the workmen who were mentioned in the reference. The union has not included the name of the petitioner during the conciliation proceedings and so his name does not find a place in the reference made by the Government to this Tribunal. So the petitioner raised

this dispute. The petitioner worked for 240 days in a year in between 1-11-1983 and 30-9-1986. The termination of the petitioner is illegal and in violation of the settlement dated 8-7-86 and Section 25-F of I. D. Act. Hence the respondent may be ordered to reinstate the petitioner into service with all benefits including the back wages.

3. The respondent filed a counter contending as follows :

The petitioner has no locus standi to raise this dispute. The respondent-Department of Atomic Energy (DAE) was established in 1954 by a Presidential Order. The aim of the respondent is using Atomic Energy for electricity generation and other applications such as in medicine, agriculture, food technology, industry and research. The respondent is engaged in the production of heavy water and it is a sovereign function. The Supreme Court held that the Telecom Department is not an industry as it is sovereign function and so the I. D. is not maintainable. So this dispute is also not maintainable. The contention of the petitioner that he was appointed as Helper on 1-11-1983 and paid Rs. 500 per month is not correct. The petitioner worked as casual labour from 1-11-85. During the initial stages of construction work of the Heavy Water Plant including its housing colony at Aswapuram, number of unskilled/semi-skilled/skilled labourers were engaged on casual, purely on temporary basis for attending to various works. The respondent agreed by settlement dt. 8-7-86 U/s. 12(3) of I.D. Act to continue casual labourers without any break till the project was completed or regular appointments were made whichever is earlier. The respondent has not violated the said settlement or the provisions of Section 25-F of I.D. Act. The petitioner did not work for 240 days. The organisation known as Heavy Water Plant Contract Workers and Employees Union (Manugur) filed a Writ Petition before the Hon'ble High Court. While the writ petition was pending, the matter was referred to this Tribunal for adjudication. Then the Hon'ble High Court dismissed the said writ petition. This Tribunal passed an Award in I.D. No. 55/88 on 3-12-1990 with a direction to absorb 185 workers against future vacancies. Many of them were absorbed and 55 employees are yet to be absorbed. They are given temporary status. The petitioner's name does not find a place in the said dispute. The petitioner's claim is a belated and time barred one. The respondent has to provide employment to atleast one member of the family of the land losers due to acquisition of the land. They are still to be accommodated. The writ petition filed by the union was already dismissed by the Hon'ble High Court. Hence the petitioner is not entitled to any relief.

4. The petitioner examined himself as W.W.1. He did not file any document. The Industrial Relation Officer, U.D. Clerk and Sr. Accounts Clerk are examined as M.Ws. 1 to 3 respectively. They filed Exs. M1 to M14.

5. The points for consideration are :

1. Whether the respondent is justified in terminating the services of the Petitioner ?
2. If not, to what relief the workman is entitled to ?

6. POINT-1 : The admitted fact of the case are as follows : The Department of Atomic Energy, Government of India intended to start Heavy Water Project, used for Atomic Energy purpose, in Aswapuram in Khammam District. The Department acquired some Government and Private lands and started construction in 1983. The casual labour were employed for construction purpose, for fetching water and other odd jobs. The construction went on upto September, 1986. Almost all the workers were retrenched at that time. The Union raised a dispute I.D. No. 55/88 in this Tribunal with regard to the retrenched 185 workers shown in Ex. M3 list. This Tribunal passed Ex. M4 Award dt. 3-12-1990 directing the respondent to absorb 185 workmen into future vacancies. The respondent absorbed only

130 casual labour into regular vacancies. The Government of India passed Ex. M5 order giving temporary status for the remaining 55 persons. The petitioner was not absorbed in pursuance to the earlier Award of this Tribunal as his name does not find a place in the Award. So the petitioner approached the Assistant Labour Commissioner (Central) Vijayawada on 11-11-1994 as evidenced by Ex. M2 Failure report dt. 27-2-95. This reference was made on 26-7-1995 but received in this Tribunal on 12-8-1996.

7. There was some agreement under Section 12(3) of the I.D. Act in between the Union and the Management on 8-7-86 as referred to in the pleadings. Somehow both the parties have not adverted to the same at all in the evidence. It was not relied upon by the workman also.

8. The present grievance of the petitioner is that though he worked 240 days, he was retrenched without following the provisions of Section 25-F of the I.D. Act. The contention of the respondent is that the petitioner worked for less than 240 days and so he is not entitled to any relief, though the respondent admitted that the petitioner was disengaged as casual labour from 30-9-1986.

9. The respondent filed Ex. M1 statement showing the attendance particulars of each workman that worked upto 30-9-86, said to have been prepared by M.W. 2 a U. D. Clerk, at the instance of Mr. Stefan Balasundaram the then Administrative Officer. It was found out that the paid holidays and Sundays were not included in the number of days each workman worked therein on comparing the statement with the nominal muster rolls which contain the name of the workman, number of days he worked and the wages paid to him and filed into Court. So the respondent prepared Ex. M14 another statement showing the particulars of attendance of each casual labour from November, 1983 to September, 1986 including the working days and paid holidays. The respondent though exhibited some of the muster rolls, produced almost all the muster rolls from November, 1983 when the respondent started to engage casual labour to September, 1986. Some muster rolls showed that some of the workmen worked in October, 1986 also. The Muster Rolls for April, 84 and December, 1984 and August, and September, 1986 are not produced. There is vast difference between Ex. M1 statement prepared by M.W. 2 in 1986 or 1988 and Ex. M14 statement prepared by M.W. 1 during the pendency of this dispute. So this Tribunal verified all the Muster Rolls which are marked and unmarked. They were made available for perusal of the counsel for the petitioner as per Ex. M1 and Ex. M14 and verification by this Tribunal are as follows

11/83 12/83

1/84 2/84 3/84 4/84 5/84 6/84 7/84 8/84 9/84 10/84

11/84 14/84

1/85 2/85 3/85 4/85 5/85 6/85 7/85 8/85 9/85 10/85

11/85 12/85.

11/85 12/85

1/86 2/86 3/86 4/85 5/86 7/86 8/86 9/86 10/86 TTL

As per Ex. M 1 Statement prepared by MW2

—27—24 27 27 25 26 26—26 27 22 284

As per Ex. M 14 Statement prepared By MW 1

—27 31—58

On verification by this Tribunal as per the available Muster Rolls.

The above particulars are tallied.

It can be seen from the above statement that as per Ex. M1 Statement prepared by M.W. 2 the petitioner worked 284 days between the period 1-8-85 and 30-9-1986. He worked for 58 days as per Ex. M14 statement prepared by M.W. 1. After verification of both the statements (Exs. M1 and M14),

the petitioner worked for more than 240 days as per Ex. M1 in the year preceding 30-9-1986. In any way the petitioner worked more than 240 days between the period 1-11-83 and 30-9-1986. So the termination is illegal and Section 25F was not followed as notice pay and retrenchment compensation were not paid. It is found that the petitioner worked for more than 240 days as per Ex. M1 statement prepared by M.W. 2.

10. Point No. 2.—Since the retrenchment is illegal, the petitioner is entitled to reinstatement and other benefits in the usual course. But the compensation is more reasonable relief than the reinstatement in the circumstances of the case. The Industry was started by the Central Government in the interest of Nation. It fixed the required staff and filled up the posts. The respondent has already provided regular jobs to 130 workers and temporary status to 55 workers as per earlier Award of this Tribunal. The respondent has also to provide a job to a member of each of the families of the land losers. The Central Government sanctioned fixed strength of staff, the officers and the workmen to the Respondent. This Tribunal cannot mulct the respondent with the workmen though they have no work. If the petitioner and also similarly situated workmen are thrust upon the respondent, a large chunk of the funds allotted to the respondent for manufacture of heavy water, will be used to pay the wages. Besides, the petitioner raised a dispute more than 8 years after the retrenchment. In the said circumstances, an Award is passed directing the respondent to pay an amount of Rs. 10,000 as compensation to the petitioner. The petitioner is entitled to interest at 12 per cent per annum from one month after publication of the Award.

Dictated to the Steno-typist, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal this the 16th day of December, 1997.

V. V. RAGHAVAN, Industrial Tribunal-I

Appendix of Evidence

Witness examined
for Petitioner.

- WW1—A. Venkanna,
MW1—G. K. Sahu,
MW2—T. Pooruchandra Rao,
MW3—M. P. Jayanarasad.

Witnesses examined
for Respondent :

Documents marked for the Petitioner :

NIL

Documents marked for the Respondent :

- Ex. M1—Xerox copy of the statement of working days particulars of WW1.
Ex. M2—Xerox copy of failure report submitted by ALC, Vijayawada.
Ex. M3—List of the casual employees engaged in HWP.
Ex. M4—Copy of the Award in ID No. 55/88.
Ex. M5—Scheme for grant of temporary status and regularisation of casual workers.
Ex. M6—Xerox copy of minutes of conciliation before ALC.
Ex. M7—Xerox copy of order of Hon'ble High Court in WP No. 14560/86.
Ex. M8—Xerox copy of the order of the Hon'ble High Court in WP No. 14602/86.
Ex. M9—Xerox copy of Muster Roll for January, 1986.
Ex. M10—Xerox copy of Muster Roll for the period November, 1983.
Ex. M11—Xerox copy of Muster Roll for the period December, 1983.
Ex. M12—Xerox copy of Muster Roll for the period November, 1985.

Ex. M13—Xerox copy of Muster Roll for the period December, 1985.

Ex. M14—Statement showing the working days particulars showing the particulars of the working days of WW1.

नई दिल्ली, 28 जनवरी, 1998

का. आ. 419.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. एयर इंडिया लि. के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं.-2), मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-98 को प्राप्त हुआ था।

[सं. एल.-20030/25/95-आई.आर. (सी-I)]
सनातन, डेस्क अधिकारी

New Delhi, the 28th January, 1998

S.O. 419.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), of the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, (No. 2), Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Air India Ltd. and their workman, which was received by the Central Government on 27-1-98.

[No. L-20030/25/95-IR (C-I)]
SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. II, MUMBAI
PRESENT :

Shri S. B. PANSE, Presiding Officer.

REFERENCE NO. CGIT-2/9 of 1997

BETWEEN :

Employers in relation to the management of
Air India Limited

AND

Their workmen.

APPEARANCES :

For the Employer : Mr. Abhay Kulkarni &
Mrs. Pooja Kulkarni, Advocates.

For the workmen : Mr. Umesh Nabar, Advocate.
Mumbai, dated 2nd January, 1998

AWARD—Part-I

The Government of India, Ministry of Labour by
its order No. L-20030(25)/95-IR(C-1), dated 3-3-97,

had referred to the following Industrial Dispute for adjudication :

"Whether the action of the management of Air India Limited is justified in terminating Sh. H. S. Chugh from service ? If not, to what relief is the workman entitled ?"

2. H. S. Chugh the workman filed a statement of claim at Exhibit-7. He contended that he was appointed in the power plant overhaul division of the Engineering department of Santacruz as a technician on 18-9-89. He completed the probation on 18-10-90 and was confirmed on 1st May, 1991.

3. The workman pleaded that on 8-8-92 he was in the second shift. The shift is from 1.15 p.m. to 8.45 p.m. and there is a tea break between 4.55 p.m. to 5.25 p.m. It is asserted that as per the duty schedule if any workman is not found at his place of work except during tea break he is issued immediately a memo on the same date and his wages and proportionally deducted on the principle of 'No Work No. Pay'. It is averred that if the workman is found missing at the fag end of the shift he is issued memo on the next working day and in absence of such memo being issued the workman is deemed to have been worked at his place of work during the entire shift working.

4. The workman averred that on 8-8-92 he resumed his duties. Before undertaking the job assigned to him he was instructed by Senior Aircraft Engineer, Mr. Rao. He worked on it till 4.55 p.m. He went for a tea break alongwith other workmen. After going back from the break he started working on the job again. For doing that job he was required to go to the welding operation of the department which is little away from the work place. For about 1 1/2 hour during the period between 6.00 p.m. to 6.30 p.m. for welding of the brackets and after going back from there he completed the job assigned to him as per the instructions of Rao. When Mr. Punwatkar came there he informed him that it is not his work to inspect it and informed him that he had completed the job as per the instructions of the Senior Aircraft Engineer and he will get it certified from Mr. Rao. Then Punwatkar left the place and the workman got the work certified from Mr. Rao. It is averred that after completing the duty hours he left the place of work at 8.45 p.m.

5. On 10-8-92 when he reported the duty he was served with a suspension order alledging that on 8-8-92 at about 8.30 p.m. he assaulted Punwatkar near Bldg. No. 15, Old Air India Staff Colony, Kalina, Santacruz. In that suspension order there is no mention that he was missing from the work place between 5.25 p.m. and 6.45 p.m. and that he was in a drunken state while on duty on that day.

6. The workman pleaded that on 11-8-92 the management issued two staff notices wherein it is mentioned that the workman and one Mr. Salvi was found under the influence of alcohol while on duty on 8-8-92 after tea break, even though there is no such mention in the suspension order.

7. On 12-8-92 the workman was issued with a chargesheet stating that he was missing from work place between 5.25 to 6.45 p.m. on 8-8-92, that he was in a drunken state, that he did not complete the job to the satisfaction of the superior, threatened and abused Punwatkar. It is further alledged that on the same day at about 8.30 p.m. he assaulted Punwatkar and as such committed breach of Model standing orders and is a serious and grave misconduct as stated in Clause-14(3)(a) Wilful Insubordination and 14(3)(h) Riotious and dis-ordinarily behaviour during working hours at the establishment and Act Bubmersive of discipline. The worker gave reply to it on 26-8-92 and denied the charges. The management formed an inquiry committee to look into the charges. The workman alledged that the inquiry which was conducted against him is against the Principles of Natural Justice and the findings of the inquiry committee are perverse. According to him the committee did not consider the evidence before it properly and came to the wrong conclusion.

8. The management relied upon the report of the inquiry committee and issued him a second show cause notice which he replied. It was not accepted by the management. It passed an order of termination. His mercy appeal was also rejected. He therefore prayed that it may be declared that the domestic inquiry held against him is against the Principles of Natural Justice, the findings of the inquiry officer are perverse and that he may be entitled to reinstatement in service in continuity alongwith full back wages.

9. The management resisted the claim by the written statement (Exhibit-8). It is contended that full and fair opportunity in accordance with the principles of Natural justice was given to the workman in the domestic inquiry. It is denied that the findings of the inquiry committee are perverse. It is asserted that the committee had considered all evidence before it and had given proper conclusion. Thereafter looking into the seriousness of the charges proved, appropriate action was taken against the workman. The workman misbehaved all the superiors. He was fund drung and missing from the place. Not only that he beat Punwatkar at about 8.30 p.m. on 8-8-92. It is submitted that an approval application was filed which was allowed by the National Industrial Tribunal wherein the same contentions were taken which were rejected. For all these reasons it is submitted that the workman is not entitled to any reliefs.

10. The issues are framed at Exhibit-9. The issues Nos. 1 & 2 are treated as preliminary issues. The issues and my findings there on are as follows :

Issues	Findings
1. Whether the domestic inquiry which was held against the workman was against the Principles of Natural Justice ?	No.
2. Whether the findings of the inquiry officer are perverse ?	Yes.

REASONS

11. H. S. Chugh lead oral evidence and relied upon the documents which he filed alongwith the Statement of Claim. On the other hand the management did not lead any oral evidence but they relied upon the documents which they filed alongwith Exhibit-10.

12. From the testimony of the workman it is very clear that so far as the procedure adopted in the domestic inquiry is concerned it is as per Principles of Natural Justice. The inquiry proceedings are at Ex-10/1-43. The committee at its first sitting had recorded that the workman is represented by a defence counsel. It is asserted that he received a chargesheet and understood the meaning and contents there in. It ascertained that the proceedings of the inquiry can be conducted in English language. It recorded that the workman does not accept the guilt. It can be further seen from the inquiry proceedings that the documents on which the management relied were given to the workman and he was given sufficient time to cross-examine the management witness and to lead oral evidence. He submitted his submissions at the end of the inquiry proceeding. Thereafter the inquiry committee had submitted its report (Exhibit-10/45156).

13. It is argued on behalf of the workman that the chargesheet is vague. After persual of the chargesheet (Exhibit-7/c) it reveals that there is a clear cut mention of statement of allegations and thereafter the clause of the Model Standing orders on which the management relies. The charge is clear in its terms and there is no ambiguity. The workman understood the same. For all these reasons I find that the domestic inquiry which was conducted against the workman was as per the principles of natural justice.

14. The Learned Advocate for the workman Mr. Umesh Nabar argued that the findings of the inquiry officer are perverse. According to him it did not consider the evidence which is lead before it. Infact according to him this is a case of no evidence. He argued that the allegations which are mentioned in the charge are not only to be proved but the charge which is mentioned in the paragraph-3 is to be proved. Mrs. Pooja Kulkarni, the Learned Advocate for the management on the other hand argued that the findings of the inquiry officer are well reasoned and based on the evidence before it. She submitted that the Learned Advocate for the workman wants to take advantage of the situation of minor clerical mistakes.

15. The inquiry committee had given a letter dated 17-2-93 (Exhibit-10/2). Alongwith this letter it had given its report (Exhibit-10/3). The committee posted four issues for its consideration. The issues and their findings are as follows :

Issues	Findings
1. Whether Mr. Chugh was absent from his place of work from 5.25 p.m. to 6.45 p.m. on 8-8-1992.	Yes.

2. Whether Mr. Chugh was under the influence of alcohol during working hours ? No.
3. Whether Mr. Chugh misbehaved while he was on duty on 8-8-1992? Yes.
4. Whether Mr. Chugh assaulted Mr. Punwatkar at about 8.30 p.m. on 8-8-1992 in the Air India colony premises ? Yes

16. Chugh (Exhibit-11) affirmed that on 8-8-92 he was in the second shift which was from 1.15 p.m. to 8.40 p.m. He took instructions from Mr. Rao in respect of the job assigned to him. He affirmed that he did the job till 4.55 p.m. and went for tea break and again came back. After going back from tea break he started working on the job which included weld repair of the brackets. He affirmed that he left the place at 8.45 p.m. He denied that he was missing from the place of work between 5.25 p.m. and 6.45 p.m. for tea break and was under the influence of alcohol during working hours.

17. Punwatkar (management witness No. 1) corroborate the position that if the employee is missing from the work place then immediately he is issued a memo. But so far as Chugh is concerned no such memo was given to him. It is common knowledge that in such cases when the workman attends the duty by punching his card and if he is not found at the work place a memo is issued to him and his salaries are deducted on the principle of 'No work no pay'. It is tried to bring on the record that it was in the discretion of the authorities to issue such a memo or not. No doubt it might be in their discretion but when a particular thing is to be proved then in such a case there should be an evidence. I find that this is a material evidence to show missing from the work place in that particular time. The management is lacking in it.

18. The management witness No. 3 V. J. Rao stated that on 8-8-92 Chugh was missing from the work place from 4.55 p.m. to 7. p.m. He reported it to Govind Swamy verbally. Infact Rao being the superior he should have issued memo immediately to the workman, but he did not. According to him it was his discretion to issue such a memo. This answer is nothing but to fill up the lacunae which I am not inclined to accept.

19. V. Govind Swamy, the management witness No. 4 had given a report dated 10-8-92 (M-9). He is Assistant Engineer Manager (Central Repaid facility). He reported that when he took a round at about 1845 Hrs. in the shop he found Salvi and Chugh were missing from the rework section. He made inquiries with the foreman Hirijgnar and Thambe but they could not answer properly. When again he came to rework section at about 19.30 Hrs he found them back. I fail to understand why immediate steps were not taken by Mr. Govind Swamy immediately at that time. He being the superior he could have directed Rao or anybody else to issue memos to the workman immediately for missing from the place. But nothing to that effect had taken place. At about 19.45 hrs. Punwatkar reported to him against Chugh's misbehaviour abusing him in filthy

language and Salvi and Chugh suspected to be in drunken condition. In this report it is not mentioned that Punwatar also reported him that both of them were missing from the work place.

20. Chitre, Rauth and Isatulkar the defence witnesses admits to have signed a declaration which is dated 19-11-1992. Their contention appears to be that they were working alongwith the workman in the workshop. The workman was not missing from the place at any time as alleged by the management. Non-issuance of the memos to the workman for missing from the place corroborates the testimony of these witnesses. I rely upon them. It can be further seen that the job which was allotted to them requires weld work. Weld section appears to be at a different place than their normal working place.

21. The workman was served with a suspension order dated 10-8-92 (Exhibit-7(A)). It does not mention that he was absent from work place between 5.25 p.m. to 5.45 p.m. In staff notice (Exhibit-7(B)) there is also no mention of the workman missing from the work place between 5.25 p.m. to 6.45 p.m. Taking into consideration the evidence which is discussed above even on the principles of preponderance of probabilities I am not inclined to accept that the workman was missing from the place between 5.25 p.m. to 6.45 p.m. on 8-8-92. Naturally the finding given by the inquiry committee on issue No. 1 appears to be perverse.

22. It is needless to say that this Tribunal is not required to consider whether the workman was under the influence of alcohol during the working hours. It is because that the finding of the Committee on this issue is in favour of the workman. Mr. Nabar, the Learned Advocate for the workman argued that the alleged incident took place on the presumption that the things had taken place as the workman was drunk. The job which was allotted to him was alleged to have been not done properly. In other words to the satisfaction of the superiors. But as the record speaks that the job was completed properly I am not inclined to accept this. In other words what was argued on behalf of the workman is that there was no intention for the worker to beat Punwatar or abuse Punwatar as there was nothing wrong to him. To my mind the submissions which were made on behalf of the workman were on the basis that this is a criminal prosecution, wherein the guilt is to be proved beyond reasonable doubt and mens rea is to be proved. So far as the domestic inquiry is concerned it is needless to say that there is a canon of authorities which states that in a domestic inquiry the case is to be seen on preponderance of probabilities. The proof required in a criminal trial is not required in a domestic inquiry. According to the Learned Advocate for the workman the findings of the inquiry officer are on the basis of no evidence. In other words he wants to submit that there is no evidence at all.

23. Punwatar (PW-1) affirmed that he relies upon the complaint dated 8-8-92 which he gave to Mr. Govind Swamy, complaint dated 10-8-92 which he gave to the Director of Engineering (M-4), ex-

tract from the station diary (Ex-M[6]), extract of NC register (Ex-M[7]) and extract from the Municipal Corporation Greater Bombay Hospital (Ex-M[8]). He does not depose in detail but accepts the contents therein. He is cross examined in length on behalf of the workman. Punwatar in his complaint dated 8-8-92 had reported to Govind Swamy, Assistant Engineer, Manager who can be stated to be as immediate superior mentioning the subject to be missing during working hours. In this complaint he had categorically mentioned that when he inspected the job carried out by Singh he found out snags and their goings in the work and he asked the reasons. At that time the workman abused him in a filthy language and left the place and went into the retiring room. Therefore the complaint was given. It can be further seen that in the complaint which was given to the Director of Engineering (Ex-M[4]) he reiterated the contention taken there in. Govind Swamy (Ex-M[4]) supports Punwatar on the point that he was informed by him that the workman was not cooperative in the work and abusing him in a filthy language. Rao, affirms that Punwatar informed him that when he approached to Singh he was shouting and not giving proper reply regarding the work done.

24. Chitre, Rauth and Istalkar all of them who are the employees and working in the second shift alongwith the workman tried to depose that no incident took place on the shop floor. Their letter is dated 19-11-92. If really no such incident would have taken place then in that case immediately after receiving the chargesheet dated 12-8-92 they through their union would have informed the management regarding not happening of such event. Their letter to the management appears to be a piece of evidence to help the worker. I am not inclined to accept it for coming to the conclusion that the workman did not misbehave with Punwatar on that day in the work place. In fact no evidence is brought on the record to show why Punwatar, Rao or for the sake Govind Swamy had any grudge against the workman. So far as this finding of the committee is concerned it has to be said to be correct one.

25. So far as the next issue which is gone against the workman is assaulting of Punwatar at about 8.30 p.m. on 8-8-92 in the Air India Colony Premises also appears to be correct. Punwatar affirms that when he was returning to the Engineering Hostel where he resided he was accosted by the workman and Salvi near Building No. 15 in the old colony. The workman asked him why he made complaint against him to the shift incharge and then he started abusing and beating with his iron bangle (kara) on the face. He then shouted for help. One Mr. Mulhotra who was staying there came out of the residence and then both of them ran away.

26. It is tried to argue on behalf of the workman that the alleged beating had taken place at 8.30 p.m. He further argued that the evidence speaks that the worker was in the second shift and he worked there up to end that is 8.40 p.m. Thereafter sometime is required to reach the place of the incident. It is therefore impossible that the workman could have beaten Punwatar at about 8.30 p.m. I am not inclined to accept this submissions.

27. The evidence which is required in a criminal trial is quite different than the evidence required in a domestic inquiry. In a criminal trial the evidence should be beyond reasonable doubt. But so far as domestic inquiries are concerned the evidence to be waived on the preponderance of probabilities. This principle is well settled.

28. On the day of the incident there was a power cut in the company. It is tried to bring on the record so far as the wing of the workman is concerned there was no power cut. Even though that might be the position from the testimony of Punwatkar and Rao it reveals due to the power cut most of the employees left the workshop. It is common knowledge that when there is a power cut, when there is a disturbance in local trains or in other type of transport, the employees leave the work place as early as possible and reach their home as early as possible. I therefore find that as there was a power cut the employees must have left their work place including the worker at about 8.10 p.m. or so.

29. The place of the incident is about a kilometre away from the place of work. It is about 8-10 minutes walking distance. If one walks fast one can reach that much distance, within 6-7 minutes. It can be further seen that it cannot be said that the beating had taken place exactly at 8.30 p.m. There might be some time here or there. But that does not take away the truthness of the incident.

30. Chitre, Rauth and Istalkar the witness of the workman tried to depose that all of them along with the worker left the work place after second shift was over namely at about 8.40 p.m. Taking into consideration 8-10 minutes for reaching the place of incident it is tried to submit that the incident had not taken place at about 8.30 p.m. But for the reasons stated above I am not inclined to rely upon the testimony of these three defence witnesses.

31. Punwatkar affirmed that he was beaten by the workman by a bangle on his face. He sustained injury. He was beaten but is saved due to the shout of Mr. Malhotra. Malhotra corroborates this. He deposed that the man having turban was beating Punwatkar and one another man was there. He was restraining Punwatkar from leaving the place. At that time Malhotra was not knowing the name of Punwatkar nor the workman. It is tried to argue that there is no identification parade. But the workman was identified in the domestic inquiry being single sardar in the room. Again this is not a criminal prosecution. But a domestic inquiry. There is no reason for Malhotra or Punwatkar to give the name of different persons than the persons who had taken part in the incident.

32. Punwatkar then approached to the security officer and had given a complaint. Its extract of the security diary entry of security control dated 8-8-92 Time 21/20 Hrs is at Exhibit-M/6. It is mentioned there in that the workman assaulted him at about 2050 Hrs. and had also given several details. This can be said to be his immediate conduct. It can be further seen that the workman was then advised by the superiors to go and lodge a police complaint. The security guard also informed to the Vakola

police station. Then Punwatkar and Mr. Rao went to Vakola police station where the complaint of Punwatkar was recorded as NC No. 2404/92(M/7). Then the incharge of the police station asked the workman to go to the dispensary for medical check up. The certificate given by the hospital is at Exhibit-M/8.

33. It is tried to argue that in the certificate there is no correct name of the workman and therefore it cannot be said that it relates to the workman. I am not inclined to accept this submission only because the workman was taken to the hospital by a police constable Buckle No. 17919/VK which was from Vakola Police Station. Again it is NC case. The workman was advised to file a complaint privately. All this conduct clearly goes to show the actions of the workman which can be said to be immediate action. These actions support the case of Punwatkar that he was beaten by the workman as stated by him.

34. From the cross examination of Punwatkar, Malhotra and that of Rao it is tried to bring on the record that the incident had not taken place at all. Eventhough there is a searching cross examination of these three witnesses nothing had come on the record to disprove it. Infact all these three witnesses had no reason to depose against the workman. There is nothing on the record which damage their testimony. Malhotra had given a letter to the administration immediately on the next day (Ex.-M/9). There was no reason for him to give such a type of letter. If really he wanted to implead falsely anybody instead of mentioning Sardarji and another supporting fighting chap he would have given the names of this workman and that of a other workman. His actions also supports his fairness.

35. It is tried to argue on behalf of the workman that cause for the alleged incident is drunkenness of the workman and that he alleged to have not completed the job assigned to him properly. It is submitted that so far as the drunken state of the workman is concerned the inquiry committee did not find it to be proved. From the evidence on the record it is clear that Mr. Rao certified that the job done by Punwatkar is correct one. It is therefore there was no reason for the workman to follow Punwatkar and beat him. What is the case of the company is that the workman thought that Punwatkar reported against him and therefore he followed him and beat him. This position is correct. Punwatkar did report the superiors against the workman but he did not mention anything in respect of the job. But he mentioned regarding his misbehaviour and of a drunken state. That clearly goes to show that there was a case for the workman to reach a lesson to Punwatkar which he did by beating him. I therefore find that the inquiry committee rightly came to the conclusion that at about 8.30 a.m. the workman beat Punwatkar. In short out of three findings which are gone against the workman I find that only one finding is perverse.

36. It is tried to argue on behalf of the management that the approval application was filed before the National Industry Tribunal for workman. The Tribunal gave an order (Ex-10/10) of approval of termination of the workman. She argued that in that application the contentions taken by the

man in this claim were also taken which were rejected by the Tribunal. Under such circumstances the workman is not entitled to take the same defence here. I am not inclined to accept this submission. The principles to decide the approval application and that of reference are quite different. Even though the approval was granted by the Tribunal rejecting the contentions taken by the workman in it he is not at all barred for taking a plea that the inquiry which was held against him was against the Principles of Natural Justice and the findings of the inquiry officer are perverse. For all these reasons I record my findings on the issues accordingly and pass the following order:

ORDER

The domestic inquiry which was held against the workman was as per the Principles of Natural Justice.

The finding of the inquiry officer is perverse. The management is allowed to lead evidence to substantiate its action.

S. B. PANSE, Presiding Officer

नई दिल्ली, 5 फरवरी, 1998

का.घा. 420.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 1998 को उस तारीख के रूप में नियत करती है, जिसकी उक्त अधिनियम के अध्याय-IV (धारा-44 और 45 के विधाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-V और VI [धारा-76 की उपधारा (1) और धारा-77, 78, 79 और 81 के विधाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध राजस्थान राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

“वे क्षेत्र जिनमें जिला भीलवाड़ा की हुरडा तहसील में खारी का लाम्बा की ग्राम पंचायत समिति सहित राजस्थान ग्राम लाम्बा और खारी का लाम्बा शामिल है।”

[संख्या :एस-38013/12/98-एस.एस.-I]

जे.पी. शुक्ला, अवर सचिव

New Delhi, the 5th February, 1998

S.O. 420.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 1998 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (1) Section 76 and Section 77, 78, 79 and 81 which have already been brought into force] of the said Act shall

come into force in the following areas in the State of Rajasthan namely :—

“The areas comprising the revenue Villages of Lamba and Khari Ka Lamba including Gram Panchayat of Samiti of Khari Ka Lamba in Tehsil Hurda of District Bhilwara.”

[No. S-38013/12/98-SSI]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 6 फरवरी, 1998

का.घा. 421.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 10 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार दिनांक 8 जून, 1995 को भारत के राजपत्र, असाधारण, भाग-II, खंड 3 (ii) में प्रकाशित भारत सरकार के अम संमेलन की दिनांक 8 जून, 1995 की अधिसूचना का.घा. 508(अ) में निम्नलिखित संशोधन करती है;

उक्त अधिसूचना में अम संख्या 15 के सामने “धारा 10 की उपधारा (i) के खंड (घ) के अन्तर्गत राज्य सरकार द्वारा नियुक्त” शीर्षक के अन्तर्गत, निम्नलिखित प्रविष्टियाँ अन्तर्निविष्ट की जाएंगी, अर्थात् :—

“निदेशक कर्मचारी राज्य बीमा योजना

सार्वजनिक स्वास्थ्य विभाग

महाराष्ट्र सरकार

मुम्बई”

[संख्या :यू-16012/2/94-एस.एस.-I]

जे.पी. शुक्ला, अवर सचिव

New Delhi, the 6th February, 1998

S.O. 421.—In exercise of the powers conferred by Sub-Section (1) of Section 10 of the Employees' State Insurance Act, 1948 (84 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour No. S.O. 508(E), dated the 8th June, 1995 published in the Gazette of India Extraordinary Part-II, Section 3(ii) dated the 8th June, 1995;

In the said notification under the heading “Appointed by the State Government under Clause (d) of Sub-Section (1) of Section 10” against S. No. 15 for the entries the following entries shall be substituted namely:—

“Director ESI Scheme Public Health Department Government of Maharashtra, Mumbai”.

[No. U-16012/2/94-SSI]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 10 फरवरी, 1998

का.आ. 422.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के उपखंडों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 2383 दिनांक 10 सितम्बर, 1997 द्वारा सिक्यूरिटी पेपर मिल, होशंगाबाद को उक्त अधिनियम के प्रयोजनों के लिए 10 सितम्बर, 1997 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 10 मार्च, 1998 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/16/97-आई.आर. (नीति विधि)
एच. सी. गुप्ता, अवर सचिव

New Delhi, the 10th February, 1998

S.O. 422.—Whereas the Central Government having been satisfied that the public interest so required had in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2383 dated the 10th September, 1997 Security Paper Mill, Hoshangabad to be a public utility service for the purpose of the said Act, for a period of six months from the 10th September, 1997.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 10th March, 1998.

[F. No. S-11017/16/97-IR (PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 10 फरवरी, 1998

का.आ. 423.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक

विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के उपखंडों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 2287 दिनांक 26 अगस्त, 1997 द्वारा नाभकीय ईंधन और संघटक, सारी पानी और संबद्ध रसायन तथा आणविक ऊर्जा को उक्त अधिनियम के प्रयोजनों के लिए 26 अगस्त, 1997 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (VI) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 26 फरवरी, 1998 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एस.-11017/3/97-आई.आर. (पी. एल.)]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 10th February, 1998

S.O. 423.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2287 dated the 26th August, 1997 Industrial establishments manufacturing or producing Nuclear Fuel and Components, Heavy Water and Allied Chemicals and Atomic Energy to be a public utility service for the purpose of the said Act, for a period of six months from the 26th August, 1997.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Govt. hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 26th February, 1998.

[No. S-11017/3/97-IR(PL)]

H. C. GUPTA, Under Secy.